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Titles of the
Regulations
Passed in the
Year 1809

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of the Regulations
1809

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TITLES
OF THE
REGULATIONS
PASSED IN THE
YEAR 1809.

REGULATION
I.

A REGULATION *for rendering permanent the Board of Commiſſioners in the upper provinces, and for inveſting that Board with certain powers in the province of Benares—Paſſed on the 3d February, 1809.*

II.

REGULATION *for enabling the Commander in Chief to delegate the power of appointing general courts martial on native officers and ſoldiers of detachments from the Bengal army ſerving beyond ſea, and for determining the number of officers neceſſary for the formation of ſuch courts martial.—Paſſed on the 24th February, 1809.*

REGULATION

III.

A REGULATION *for the ſupport of the police in the cantonments and military bazars; for defining the powers of the civil and military officers in the performance of that duty; and for fixing the local limits of the ſaid cantonments and bazars.—Paſſed on the 13th March,* 1809.

IV.

A REGULATION *for reſcinding Regulations* IV, *and* V, 1806; *and for ſubſtituting rules in lieu of thoſe enacted in the ſaid regulations for levying duties from the pilgrims reſorting to Juggunnath, and for the ſuperintendence and management of the affairs of the temple.—Paſſed on the 28th April,* 1809.

V.

A REGULATION *to provide in certain caſes for the trial of native ſubjects of the Britiſh Government, who may be charged with crimes or miſdemeanors committed in places out of the limits of the Britiſh provinces.—Paſſed on the 6th of June,* 1809.

VI.

A REGULATION *for providing more effectually againſt the illicit cultivation of the poppy in the provinces of Bengal, Behar, Oriſſa, and Benares, and for extending to certain native officers employed by the opium agents, the proviſions contained in Section* X, *Regulation* XXXI, 1793, *and Section* IV, *Regulation* IX, 1801.—*Paſſed on the 24th of Auguſt,* 1809.

VII.

A REGULATION *for modifying certain parts of the exiſting regulations reſpecting the duties leviable by means of ſtampt paper.—Paſſed on the 4th Auguſt,* 1809.

VIII.

A REGULATION *for modifying parts of the rules in force, reſpecting*

pecting the appointment and removal of the native officers of government, in the Judicial, Revenue and Commercial Departments.—Paſſed on the 29th Auguſt, 1809.

IX.

A REGULATION *for empowering the Calcutta provincial court to receive appeals from the deciſions of the commiſſioner at Chinſurah and ſuperintendent of Chandernagore, in certain caſes; and to make further proviſion for the adminiſtration of civil juſtice at thoſe ſettlements.—Paſſed on the 3d October, 1809.*

X.

A REGULATION *for the eſtabliſhment of a copper coinage in the province of Benares.—Paſſed on the 15th December, 1809.*

BENGAL SECRETARIAT LIBRARY

A. D. 1809. REGULATION I.

A REGULATION *for rendering permanent the Board of Commiſſioners in the upper provinces, and for inveſting that Board with certain powers in the province of Benares.*—PASSED *by the Governor General in Council,* [illegible] *the 3d February 1809, correſponding with the 23d Maug 1215 Bengal era; the 3d Phaugun 1216 Fuſſily; the 24th Maug 1216 Willaity; the 3d Phaugun 1865 Sumbut; and the 17th Zeelhij 1223 Hidgeree.*

IT having been deemed adviſable to render the eſtabliſhment of the board of commiſſioners in the ceded and conquered provinces permanent, and likewiſe to inveſt that board with the control of the land and ſayer revenue, of the cuſtoms, and of the mint in the province of Benares, the following rules have been enacted, to be in force from the 1ſt March 1809; correſponding with 19th Phaugun 1215 Bengal era; 29th Phaugun 1216 Fuſſily; 20th Phaugun 1216 Willaity; 14th Phaugun 1865 Sumbut; and 13th Mohurrum 1224 Hidgeree. Preamble.

II. The board of commiſſioners in the upper provinces is hereby declared to be permanent. Board of commiſſioners in the upper provinces declared permanent.

III.

The duties, powers, and authority of the Board of Revenue in Benares transferred to the Board of Commiſſioners.

III. All the duties, powers, and authority, at preſent exerciſed under the exiſting regulations by the board of revenue in the province of Benares, ſhall be transferred to the board of commiſſioners from the 1ſt of the enſuing month of March.

The duties, powers, and authority of the Board of Trade with reſpect to the cuſtoms in Benares transferred to the Board of Commiſſioners.

IV. All the duties, powers, and authority, at preſent exerciſed by the board of trade in the province of Benares, with reſpect to the control of the cuſtoms, in that province, ſhall be transferred to the board of commiſſioners from the date ſpecified in the preceding ſection.

The Board of Commiſſioners inveſted with a general control over the mint in Benares.

V. The board of commiſſioners ſhall be inveſted from the 1ſt of the enſuing month of March, with a general control over the mint eſtabliſhed at Benares.

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A. D. 1809. REGULATION II.

A REGULATION *for enabling the Commander in Chief, or Commanding Officer of the Forces, for the time being to delegate the power of appointing General Courts Martial, on Native Officers and Soldiers of detachments from the Bombay Army, ſerving beyond Sea, and for determining the number of Officers neceſſary for the formation of ſuch Courts Martial.—Paſſed by the Governor in Council on the* 10*th of June* 1809, *correſponding with the* 13*th Jeit vud Sumbut or Vekramajit Æra* 1865. *Salban* 1731 *and the* 25 *Rubee-ul-akhir Higeree* 1224.

BY the annual Acts of Parliament for the Government of His Majeſty's forces, proviſion is made for empowering Officers Commanding in Chief, not only to appoint Courts Martial, but to authorize Officers under their command, with certain reſtrictions, to convene ſuch Courts, and a ſimilar proviſion for the delegation of this authority is contained in the Act paſ- Preamble.

ſed in the Twenty Seventh year of George the Second, for the prevention of mutiny and deſertion in the Company's forces: but this latter act applied only to European Officers and Soldiers in the Company's Service, and no regular proviſion has hitherto been made for enabling the Commander in Chief or Commanding Officer of the Forces for the time being to delegate the power of appointing Native general Courts Martial. When detachments from the Bombay army may be ſent on foreign ſervice, or to ſtations beyond Sea, it is obviouſly neceſſary, that ſuch a power ſhould exiſt: in ſuch caſes it may frequently be difficult to procure the number of officers at preſent requiſite for the formation of a general Native Court Martial. In the Acts above referred to, in contemplation of the ſame difficulty, it is provided, that in Africa, and New South Wales, (in reſpect of the King's Troops) and in St. Helena (in reſpect of the Company's Troops,) general Courts Martial may conſiſt of any number of Officers not leſs than five; but no ſentence of death is to be paſſed unleſs two thirds of the Officers preſent, or four where the Court conſiſts of five, ſhall concur therein. With a view to uniformity in the law Martial for the Government of the Native Troops, the following rules are enacted by the Governor in Council.

Commander in Chief or Commanding Officer of the forces for the time being may iſſue his warrant to the Commanding Officers of Native detachments on foreign ſervice, or beyond ſeas, to convene General Courts Martial.

II. Whenever a detachment of the Bombay Native troops may be on foreign Service, or in any part of the Britiſh poſſeſſions beyond Sea, the Commander in Chief or the Commanding Officer of the Forces for the time being at Bombay ſhall have power to iſſue his warrant to the Officer Commanding in Chief where ſuch detachment is ſtationed or ſerving, authorizing him to convene Native general Courts Martial as occaſion may require. The Commander in Chief or Commanding Officer of the Forces for the time being may alſo delegate by his warrant to ſuch Commanding Officer, either abſolutely or under ſuch reſtriction as he ſhall think fit, the power of confirming or directing the reviſion of the ſentence of Courts Martial.

Of what number of Native Officers ſuch Courts Martial ſhall conſiſt; and what number to concur in a ſentence of death.

III. A Native general Court Martial ſhall not conſiſt of fewer than nine Native Commiſſioned Officers Subadars, or Jemadars, unleſs ſuch Court Martial be holden by virtue of a warrant from the Commander in Chief, in the ſituations and under the circumſtances mentioned in the preceding Section. In caſes of general Courts Martial ſo holden, where the number of nine Officers cannot, in the judgment of the Officer convening the ſame, be conveniently aſſembled, any number of Native Commiſſioned Officers, Subadars, or Jemadars, not leſs than five, ſhall be competent to form ſuch general Courts Martial for the trial of Native Officers or Soldiers belonging to ſuch detachments. But no ſentence of death ſhall be paſſed by ſuch Courts Martial, unleſs two thirds of the Members, or four where the Court conſiſts of five, ſhall concur therein.

A. D. 1809. REGULATION III.

A REGULATION *for the ſupport of the Police in the Cantonments and Military Bazars; for defining the powers of the Civil and Military Officers in the performance of that duty; and for fixing the local limits of the ſaid Cantonments and Bazars.*—PASSED *by the Governor General in Council, on the* 13*th March* 1809, *correſponding with the* 2*d Chyte* 1215 *Bengal era; the* 11*th Chyte* 1216 *Fuſſily; the* 3*d Chyte* 1216 *Willaity; the* 12*th Chyte* 1866 *Sumbut; and the* 25*th Mohurrum* 1224 *Higeree.*

Preamble.

UNDER the exiſting regulations, the charge of the police in the cantonments and military bazars is veſted in the magiſtrates and their officers: This arrangement having however been in ſome inſtances attended with inconvenience, the following rules have accordingly been paſſed for the more effectual ſupport of the police in places of that deſcription; for defining the powers of the civil and military officers in the performance of that duty, and for fixing the local limits of the cantonments and bazars.

The ſupport of the police and the maintenance of the peace within the limits of cantonments veſted in officers commanding the troops. Commanding officers to adopt meaſures for preventing the commiſſion of thefts or other public crimes, within the limits of cantonments and military bazars.

II. *Firſt.* The ſupport of the police and the maintenance of the peace within the limits of the cantonments and military bazars (which are to be fixed in the manner hereafter ſtated) are hereby veſted in the officers commanding the troops quartered at ſuch places. The commanding officers will accordingly adopt the neceſſary meaſures, by means of the troops under their command, for preventing as far as poſſible, the commiſſion of thefts, robberies, murders, and other public crimes within the limits of the ſaid cantonments and military bazars, and for the diſcovery and apprehenſion of perſons who may at any time be guilty of any ſuch acts.

Commanding officers or others acting under their authorities, are not to interfere with reſpect to aſſaults and petty affrays.

Second. Nothing contained in the preceding rule ſhall however be conſtrued to authorize the commanding officers of cantonments, or the perſons acting under their authority in the ſupport of the police, to interfere with reſpect to aſſaults and petty affrays, or other offences of inferior magnitude, unleſs the perſons guilty of thoſe offences, ſhall be apprehended in the actual commiſſion of ſuch acts.

Perſons apprehended under the above rules, to be delivered over to the magiſtrate of the diſtrict, and to be proceeded againſt, in the manner preſcribed by the general regulations.

Third. Any perſon apprehended under the preceding rules in any of the cantonments or military bazars, on account of the commiſſion of any public crime or offence, ſhall be delivered over with all practicable expedition to the magiſtrate of the diſtrict in which ſuch cantonments or bazars are ſituated, and the magiſtrate ſhall proceed againſt the accuſed in the manner preſcribed by the general regulations.

Party aggrieved ſhall be at liberty to prefer his complaint againſt any individual, reſident in the cantonments or military bazars,

III. *Firſt.* If any perſon ſhall have a charge or complaint to prefer againſt any individual reſident in any of the cantonments or military bazars, who may not have been already apprehended by the perſons entruſted therein with the ſupport of the police, or if the charge or complaint be of a nature not to authorize thoſe officers under Clauſe Second of the preceding ſection, to interfere in it; the party deeming himſelf aggrieved, is at liberty to prefer his charge or complaint directly to the magiſtrate, who is hereby authorized and required to proceed with reſpect to it under the general regulations, in the ſame manner, as if the alleged crime or offence had been committed in any other part of his juriſdiction.

to the magiſtrate of the diſtrict.

Magiſtrates to proceed againſt ſuch individuals under the general regulations.

Second. Under the foregoing clauſe, the magiſtrates are of courſe empowered to iſſue their warrants and ſummonſes againſt any perſons reſiding in the cantonments and military bazars, in the ſame manner as if ſuch perſons reſided in any other part of their juriſdiction; and the commanding officers of ſtations are hereby required to afford every protection to the officers of the judges, magiſtrates, and juſtices of the peace, in the diſcharge of the duty entruſted to them, whether any ſpecial application ſhall have been made to them for ſuch aid or ſupport, or otherwiſe.

Magiſtrates may iſſue warrants and ſummonſes againſt any perſon reſiding in the cantonments.

Commanding officers on ſpecial application or otherwiſe required to afford protection to the officers of the civil authority, in the diſcharge of the duties entruſted to them.

IV. On receipt of this regulation, the limits of the cantonments including the military bazars attached thereto, at which any diviſion or corps of the army, or any conſiderable detachment not being leſs than half of a battalion, may be quartered, ſhall be fixed by the commanding officer in concert with the magiſtrate. The commanding officer at each of thoſe ſtations will accordingly ſubmit to Government, through the uſual channel, as ſoon as circumſtances may conveniently admit, a report framed in concert with the magiſtrate of the diſtrict in which the cantonments may be ſituated, upon the local limits of the cantonments, forwarding at the ſame time any ſeparate remarks which the magiſtrate may wiſh to make on the ſubject, for the final orders of the Governor General in Council.

Limits of Cantonments and military bazars, to be fixed by commanding officers in concert with the magiſtrate of the diſtrict.

Commanding officer to ſubmit a report upon the local limits of the cantonments, with any remarks from the magiſtrate of the ſtation, for the final orders of government.

V. The above rules ſhall be conſidered applicable to all

The above rules to be conſider-

cantonments,

ed applicable to all cantonments,

cantonments, in which any conſiderable body of the troops not being leſs than half a battalion is quartered, whether the cantonments be ſituated at the place of reſidence of the judge and magiſtrate, or in any other part of the diſtrict.

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A. D. 1809. REGULATION IV.

A REGULATION *for reſcinding Regulations* IV *and* V, 1806; *and for ſubſtituting rules in lieu of thoſe enacted in the ſaid regulations for levying duties from the pilgrims reſorting to Juggunnauth, and for the ſuperintendence and management of the affairs of the temple.*—PASSED *by the Governor General in Council, on the 28th April* 1809; *correſponding with the* 17*th Byſaak* 1216 *Bengal era; the* 28*th Byſaak* 1216 *Fuſſily; the* 18*th Byſaak* 1216 *Willaity; the* 13*th Byſaak* 1866 *Sumbut; and the* 12*th Rubbee-ul-Awul* 1224 *Higeree.*

WHEREAS it has appeared that the rules at preſent in force for levying duties from the pilgrims, reſorting to Juggunnauth, and for the ſuperintendence and management of the affairs of the temple, have been in ſome reſpects attended with difficulty and inconvenience, the Governor General in Council, with a view to afford every facility to the different claſſes of Hindoos, in the performance of their religious ceremonies, and with a view to the better management of the internal affairs of the temple, has been pleaſed to reſcind Regulations IV, and V, of 1806, and to ſubſtitute the Preamble.

the following rules in lieu of them; And whereas under the exiſting rules, reſpecting perſons exempted from the payment of the tax, frauds have been committed by perſons profeſſing themſelves to be carriers of the water of the Ganges, and by perſons reſorting to Juggunnauth under the pretext of purpoſes other than that of pilgrimage, the Governor General in Council has been pleaſed to make further proviſion for the prevention of ſuch frauds in future. The following rules therefore are enacted, and they are to have effect from the date of the promulgation of this regulation.

The ſuperintendence of the temple, the conduct of its affairs, and the controul over the ſeveral perſons attached to it, veſted in the rajah of Khoordah.

II. *Firſt.* The ſuperintendence of the temple of Juggunnauth, and its interior economy, the conduct and management of its affairs, and the controul over the prieſts, officers, and ſervants attached to the temple, are hereby veſted in the rajah of Khoordah, who on all occaſions ſhall be guided by the recorded rules and inſtitutions of the temple, or by ancient and eſtabliſhed uſage.

The rajah and his ſucceſſors to continue in charge ſo long as they ſhall continue to act with propriety.

Second. The rajah of Khoordah, and his ſucceſſors ſhall hold the charge veſted in them by the above clauſe; ſo long as they ſhall continue to conduct themſelves with integrity, diligence and propriety; but nothing contained in this regulation ſhall be conſtrued to preclude the Governor General in Council, from removing the preſent rajah, or any of his ſucceſſors from the ſuperintendence of the temple, on proof of miſconduct in ſuch perſon, made to the ſatisfaction of government.

The ſuperintendent empowered to puniſh perſons ſubject to his controul, and to what extent.

Third. To enable the ſuperintendent of the temple to perform the duty of his ſtation with efficiency, he is hereby authorized to puniſh perſons ſubject to his control, for any inſtance, of neglect or miſconduct, by impoſing ſmall fines upon them, not exceeding one month's ſalary, or income, or by removing the offender (if not one of the three head purchas) from his office, if the offence ſhall appear to merit that puniſhment. The amount of any fines impoſed under this clauſe, are to be carried to the account of government by the ſuttaiſhuzzarry purcha.

The three dewul purchas to be appointed by the collector, ſubject to the confirmation of government, but to act under the orders of the ſuperintendent.

III. *Firſt.* The three dewul purchas are to be appointed by the collector of Cuttack, ſubject to the confirmation of government, and they are not to be removed from their offices, without the ſanction of the Governor General in Council. Theſe officers however are to execute the functions of their offices under the directions of the rajah, and they are required to obey his orders punctually.

How they are to act in the event of any orders of the ſuperintendent being inconſiſtent with the rules and uſages of the temple.

Second. In the event however of any orders being iſſued by the rajah, inconſiſtent with the recorded rules and inſtitutions of the temple, or with it's ancient and eſtabliſhed uſages, it ſhall be the duty of the purchas to repreſent the circumſtances of the caſe to the Collector of the tax, for the final orders of the Governor General in Council, if it ſhould appear on enquiry that the interpoſition of government is neceſſary for the reſtoration of good order, and the prevention of diſputes and irregularities.

The third dewul purcha to act as ſuttaiſhuzzary purcha, and to give an account to the collector of all offerings and preſents.

IV. The third dewul purcha ſhall execute the duty of ſuttaiſhuzzarry purcha, and it ſhall alſo be his duty to give an account to the collector of the tax, of all offerings and preſents made to the idol.

A tax to be levied as heretoſore on the pilgrims, the collection of which to be veſted in a collector, under the authority of the collector of Cuttack, and the general ſuperintendence of the Board of Revenue.

V. A tax ſhall be levied on the part of government (as was heretoſore done under the late Marhatta government, and as has alſo been done under the Britiſh government ſince the conqueſt of the province of Cuttack) on pilgrims reſorting to the temple of Juggunnauth. The collection of the tax ſhall be entruſted to an officer with the official deſignation of the collector of the tax on pilgrims. But that officer is to be ſubject to the authority of the collector of Cuttack. The general ſuperintendence of the collections, and the controul of the officers employed in the performance of that duty, ſhall be veſted in the Board of Revenue at Fort William.

The avenues for the admiſſion of pilgrims confined to two.

VI. The avenues for the admiſſion of pilgrims ſhall be confined to two, viz. Ghaut Atturrah Nullah on the north, and Ghaut Lokenauth on the ſouth weſt of the town of Juggunnauth Poory.

Claſſes of pilgrims liable to the tax.

VII. *Firſt.* The pilgrims liable to the tax ſhall be divided into four claſſes, as follows:

Firſt claſs, or laul jatries;
Second claſs, or nimm lauls,
Third claſs, or bhurrungs,
Fourth claſs, or punj tirthees, comprehending the following deſcriptions of perſons of low caſt who are not permitted to enter the temple:—

1 Lolee or kuſbee,
2 Cullal or ſoonree,
3 Machoowa,
4 Numoſooder or chandal,
5 Ghooſkee,
6 Gázur,
7 Baugdee,
8 Joogee, or noorbauf,
9 Kahar bawry and doolia,
10 Raujbunſee,
11 Peerally,
12 Chamar,
13 Dhome,
14 Paun,
15 Teor,
16 Bhooinmalee,
17 Haddee.

Second.

Rates of tax payable by the different claſſes.

Second. The following are the rates of tax payable by the different claſſes :—

Pilgrims of the firſt claſs coming from the north and paſſing the Autarrah Nullah ghaut, to pay a tax of ten rupees; and coming from the ſouth and paſſing Lokenauth ghaut, ſix rupees.

Pilgrims of the ſecond claſs coming from the north and paſſing the Autarrah Nullah ghaut, to pay five rupees; and coming from the ſouth and paſſing Lokenauth ghaut, three rupees.

Pilgrims of the third claſs whether coming from the north or ſouth, and paſſing either of the ghauts, to pay two rupees.

Pilgrims of the fourth claſs paſſing either of the ghauts, to pay two rupees.

Rules as to the time a pilgrim of the firſt claſs is to be allowed acceſs to the temple and how that period may be extended.

Third. A pilgrim of the firſt claſs is to be allowed free acceſs to the temple during thirty days, and he is to be attended by a purharree or punda, at all times he may enter the temple. But if he ſhould wiſh to be exempted from the attendance of thoſe officers, by the payment of a further ſum of ten rupees to the collector, and by the ſurrender of his paſs, he ſhall be entitled to a purwannah authorizing him to viſit the temple, at all times when the gates are open, whether attended by a purharree or punda, or otherwiſe; and he ſhall further be allowed to perform his religious ceremonies for an unlimited time, ſo long as he may wiſh to remain in the town.

Rules as to the time a pilgrim of the ſecond claſs is to have admiſſion.

Fourth. A pilgrim of the ſecond claſs who may viſit the temple at the time of the Ruth Jattrah, ſhall be allowed acceſs to the temple during ten days. But if he ſhould viſit the temple at the time of the Dole Jattrah, or at any other period of the year, excepting at the time of the Ruth Jattrah, he is to be allowed acceſs to the temple for a period of ſeven days only, and he muſt be at all times attended by a punda or purharree, when viſiting the temple.

Rules as to the third claſs.

Fifth. A pilgrim of the third claſs ſhall be allowed acceſs to the temple at the time of the Ruth Jattrah, during five days; but at any other time he will only be allowed to viſit the temple during four days, and he muſt be attended by a punda or purharree on all occaſions.

Rules as to the fourth claſs.

Sixth. A pilgrim of the fourth claſs ſhall be allowed to perform the cuſtomary ceremonies without the temple, during ſixteen days, attended by the baut peeada of the collector of tax at Juggunnauth.

All perſons allowed the option of enrolling themſelves in the claſs they prefer.

Seventh. It ſhall be optional to all deſcriptions of perſons entitled to viſit the interior of the temple, to enrol themſelves under whichever claſs they may prefer, on payment of the preſcribed rate of tax.

Printed certificates to be prepared, and where to be procured.

VIII. *Firſt.* With a view to facilitate acceſs to the temple, and to remove all difficulties from the way of the pilgrims paſſing the ghauts, printed certificates ſhall be prepared, which ſhall be procurable on the payment of the fixed tax, at the offices of the ſecretary to the Board of Commiſſioners and the Secretary to the Board of Revenue, the collectors of Cuttack, and Ganjam, and at the two ghauts.

Second. The following are the forms of the certificates to be granted to the different pilgrims:

FORM No. 1.

Form No. 1.

“ A. B. inhabitant of ——— in the diſtrict of ———, having this day paid into this office, the ſum of ſicca rupees ——, is entitled to paſs through the ——— ghaut, without further interruption, as a laul jauttree, or pilgrim of the firſt claſs, to the cutcherry of the collector of tax at Juggunnauth. On producing this certificate to the ſaid collector, he is further entitled to receive a paſs, and to have acceſs, to the temple during thirty days.

Names or deſignation of attendants.	Amount of tax paid by them reſpectively.	Period for which they are to viſit the temple.

FORM No. 2.

Form No. 2.

" A B. inhabitant of ——— in the diſtrict of ———, having this day paid into this office the ſum of ſicca rupees ——, is entitled to paſs through the ——— ghaut, without further interruption, as a nimm laul, or pilgrim of the ſecond-claſs, to the cutcherry of the collector of tax at Juggunnauth. On producing this certificate to the ſaid collector, he is further entitled to receive a paſs, and to have acceſs to the temple during ten days, at the time of the Ruth Jattrah, or during ſeven days at any other period."

FORM No. 3.

Form No. 3.

" A. B. inhabitant of ———, in the diſtrict of ———, having this day paid into this office, the ſum of ſicca rupees two, is entitled to paſs through the ——— ghaut, without further interruption, as a bhurrung, or pilgrim of the third claſs, to the cutcherry of the collector of tax at Juggunnauth. On producing this certificate to the ſaid collector, he is further entitled to receive a paſs, and to have acceſs to the temple during five days, at the time of the Ruth Jattrah, or during four days at any other time."

FORM No. 4.

Form No. 4.

A. B. inhabitant of ———, in the diſtrict of ———, having this day paid into this office, the ſum of ſicca rupees two, is entitled to paſs through the ——— ghaut, without further interruption, as a punj tirthee, or pilgrim of the fourth claſs, to the cutcherry of the collector of tax at Juggunnauth. On producing this certificate to the ſaid collector, he is further entitled to receive a paſs, and to perform the cuſtomary ceremonies without the gates of the temple during ſixteen days.

Rules as to the families or attendants of pilgrims.

Third. In caſe a pilgrim of the firſt claſs, may be deſirous of viſiting the temple with his family and attendants, ſuch family and attendants not exceeding twenty perſons, will be admitted to remain in the town ſo long as their maſter does, provided they ſhall in the firſt inſtance pay the preſcribed tax, either as bhurrungs or nimlolls, but they will not be allowed to enter into the temple for a longer period of time, than they may be reſpectively entitled to, in conſideration of the tax paid by them: in caſes therefore where a pilgrim may be deſirous of having his attendants, and family, allowed to remain with him, as long as he remains himſelf, the tax for ſuch perſons, either as bhurrungs or nimlolls, muſt be paid at the time he takes out his own certificate, and the officer furniſhing the certificate is to ſtate the names, or deſignation of the family and attendants; the tax paid on account of each of them; and the number of days during which they will reſpectively be allowed to perform their religious ceremonies; and ſuch perſons ſhall be allowed to remain in the town as long as their maſter does.

Certificates how to be atteſted and filled up.

Fourth. The certificates ſhall be dated and atteſted with the official ſeal and ſignature of the officer granting them, who ſhall alſo fill up the blank ſpaces with the name of the pilgrims (or if female, her deſignation) the place of his (or her) habitation, the rate of the tax, and in the inſtance of pilgrims of the two firſt claſſes, the name of the ghaut, through which they will paſs.

Pilgrims to be allowed to paſs the ghauts without interruption on producing their certificates.

IX. On the production of a printed certificate, ſigned and ſealed in the manner preſcribed, the pilgrim is to be allowed to paſs the ghauts, and no interruption is on any account to be given to him by the darogah, or officer ſtationed at the ghauts.

Darogahs impeding ſuch pilgrims, liable to be fined and diſmiſſed.

X. *Firſt.* If it ſhall be eſtabliſhed that any pilgrim holding a certificate regularly ſigned and ſealed by an officer entitled to grant ſuch certificate, ſhall be impeded from entering the ghauts, or unneceſſarily delayed at them, the darogah at the ghaut ſhall be liable to be fined in a ſum not exceeding his ſalary for three months, and alſo to be diſmiſſed from his office.

Darogahs how to be puniſhed for ſlight offences.

Second. In caſes of ſlight offences, the collector of Juggunnauth is empowered to levy a fine from the darogah, not exceeding his ſalary for one month, but if the collector ſhould deem the offence deſerving of a greater puniſhment, he is to report the circumſtances to the Board of Revenue, who if they think proper, are competent to impoſe a fine, not exceeding three months ſalary, and alſo to order the darogah to be removed from his office.

The collector of Juggunnauth to ſuperintend the conduct of the darogahs.

Third. It is to be the particular duty of the collector of Juggunnauth to ſuperintend the conduct of the darogahs at the ghauts, and to take ſpecial care that the pilgrims are not impeded, delayed, or moleſted in any manner.

Licenſes to be granted by the collector on the receipt of the certificates of the pilgrims.

XI. *Firſt.* On the pilgrims having paſſed the ghauts, thoſe of the firſt, ſecond, and third claſſes, are to apply to the collector of Juggunnauth for a licenſe of acceſs to the temple, and it ſhall be the duty of the collector, on the receipt of the certificate from the pilgrims, to grant to them a licenſe according to the following forms:—

Form for the 1ſt, 2d, and 3d claſſes.

“A. B. inhabitant of ——, in the diſtrict of ——, is entitled to perform the cuſtomary ceremonies under charge of ——, during —— days, that is to ſay, from the ——, of the month of ——, until the —— day of the month of ——, and for that period you will afford to the holder hereof free acceſs to the temple of Juggunnauth. At the expiration of the period granted, you will return this licenſe into the office of the collector of tax.”

Form for the 4th claſs.

A licenſe of the form following will be granted by the collector of tax, on the receipt of a certificate from a pilgrim of the fourth claſs. addreſſed to his nazir.

FORM OF LICENSE.

“A. B. inhabitant of ——, in the diſtrict of ——, is entitled to perform the cuſtomary ceremonies without the temple gates under charge of ——, baut, peeada, during —— days, that is to ſay, from the —— of the month of ——, to the —— day of the month of ——, at the expiration of which period, this licenſe ſhall be returned into the office of the collector of tax.”

How the blank ſpaces are to be filled up.

Second. The blank ſpaces of the licenſes of acceſs to be filled up with the name of the pilgrim, the place of habitation, the name of the punda or purharree in the firſt licenſe, or of the baut peeada in the ſecond, and the dates of the commencement, and expiration of the period granted.

Rules in caſes of ſickneſs of pilgrims during the time allowed in the certificates.

XII. As in caſe of ſickneſs a pilgrim may be prevented from performing his religious ceremonies during the number of days allowed to him, it might operate as a hardſhip if ſuch perſon were compelled to quit the town immediately after the expiration of the preſcribed time. The collector of the tax therefore ſhall in ſuch caſes be competent to extend the period, for ſuch further time as may be deemed reaſonable by him. The collector however is of courſe to obſerve due caution in the exerciſe of this authority.

Rules for preventing delay in iſſuing the licenſes to pilgrims ſurrendering their certificates.

XIII. As it is an important conſideration to the pilgrims to viſit the temple as ſoon after they ſhall have paſſed the ghauts as poſſible, the collector of Juggunnauth ſhall be particularly careful to grant the licenſes without delay. He is therefore required to have a ſufficient number of blank licenſes prepared, in order that no time may be loſt in paſſing the pilgrims into the temple. It is further provided that the collector ſhall not require the attendance at his cutcherry, of any perſon deſiring to change his certificate for a licenſe, particularly in the inſtance of females. The production and ſurrender of the certificate or certificates at the collector's cutcherry, by any one perſon of the family, or by any other perſon who may be employed to take out the neceſſary licenſes, ſhall be ſufficient to authorize the collector to grant the neceſſary licenſes in the names, or deſignation, of the perſons ſpecified in the certificates.

Regiſter of licenſes to be kept, and rules as to the return of ſuch licenſes by the pundahs &c.

XIV. The collector of tax at Juggunnauth ſhall keep a regiſter of all licenſes granted by him, inſert the dates of, and the periods for, which they may be in force, which will enable him to aſcertain at all times whether any punda or purharree ſhall have neglected to return the licenſe into the office as required. It ſhall be the duty of every punda or purharree, to return the licenſes of the pilgrims under his charge, on the expiration of the period for which they have been granted, in default whereof, the punda or purharreee ſhall be ſubject to ſuch fine as on conſideration of the circumſtances of the caſe, the collector of the tax may deem neceſſary: the amount of the fine ſhall in no caſe exceed the amount of tax paid by the firſt claſs of pilgrims.

Rules as to the return of licenſes of the 4th claſs by the baut peeada.

XV. The baut peeadas ſhall return the licenſes of the fourth claſs or punj tirthees, on the date of their expiration, in default whereof the collector of the tax ſhall diſmiſs the offender from his office, or impoſe a moderate fine in no caſe exceeding the amount of one month's ſalary.

Pilgrims may be removed when the licenſe of acceſs ſhall be retained beyond the preſcribed period.

XVI. *Firſt.* When any pilgrim (not being a laul jattrie) ſhall retain his licenſe of acceſs beyond the period of its expiration, and ſhall continue to reſide in the town, the collector of the tax may cauſe the removal of the pilgrim in the following manner.

Mode of proceeding in ſuch caſes.

Second. On application from the collector of the tax, it ſhall be the duty of the police darogah, to apprehend and expel from the town, ſuch perſons, as ſhall be pointed out to him by the collector of the tax, or the officers acting under his direction. The darogah ſhall report to the magiſtrate the manner in which he may have complied with the application of the collector in his monthly reports.

Collector may in certain caſes comply with applications of pilgrims for permiſſion to remain in the town.

XVII. When any pilgrim of the firſt claſs, (who ſhall not have obtained a perwannah authorizing him to perform his religious ceremonies for an unlimited time) ſhall be deſirous of remaining in the town, beyond the fixed period, he ſhall make application to the collector for permiſſion to remain with his attendants, and the collector ſhall comply with the application, provided that no circumſtances ſhould render a compliance with it objectionable: if any ſuch circumſtance ſhould occur to the collector, he is to make an immediate report of the caſe to the Board of Revenue, who, if they ſee reaſon, ſhall be competent to order the expulſion of the pilgrim from the town. But it is further declared, that ſuch pilgrim ſhall not be authorized to enter the temple during the further period which may be allowed to him.

Deſcription of perſons exempt from payment of the tax on pilgrims.

XVIII. *Firſt.* In conformity to long and eſtabliſhed uſage, the following deſcriptions of perſons ſhall be conſidered to be exempt from the payment of the tax on pilgrims at Juggunnauth, viz. byraghies, ſonaſſees, dundies, burmacharies, mohunts, goſains, khomartees and nagas, perſons born within the Byturnee nullah, and the Ganjam river, or who may have reſided with their families for a period of ten years, within the above limits; perſons employed in carrying the water of the ganges to Juggunnauth, and actually pouring the water over the idol at Lokenauth; and perſons reſorting to the town of Juggunnauth Pooree for trade, or any other purpoſe excepting on pilgrimage.

Rule as to perſons profeſſing to be carriers of the Ganges water.

Second. A perſon profeſſing himſelf to be a carrier of the water of the Ganges, is to be allowed to paſs the Attarrah Nullah ghaut; but he is to be placed under the charge of a punda or purharree who is to attend him to Lokenauth, and to ſee him pour the water over the idol there, before he will be admitted to perform his religious ceremonies within the temple. In the event of his not performing that ceremony, he is either to be expelled from the town, or to be ſubjected to the payment of the tax.

Perſons reſorting to Juggunnauth for trade &c. admiſſible without the payment of tax, except at a certain period.

XIX. With reſpect to perſons reſorting to Juggunnauth, for the purpoſe of trade, or any other purpoſe but that of pilgrimage, they are to be admitted to paſs the ghauts without the payment of the tax, at all times of the year, excepting for twelve days from the commencement of the Ruth Jattrah. During that time no perſon excepting ſuch as may be exempted as kungalls, or carriers of the water of the Ganges, or on account of their reſidence, or religious caſt, ſhall be admitted within the ghauts without the payment of the tax.

Perſons taking up their fixed reſidence in the town exempted

XX. A perſon intending bonâ fide to take up his reſidence within the town for the remaining period of his life, ſhall alſo from payment of the tax.

be exempted from the payment of the tax, provided the collector ſhall be ſatisfied that he has not the means of paying any tax.

All other perſons to pay the tax.

XXI. *Firſt.* All perſons, including native civil and military officers and ſepoys, not coming within the deſcription of perſons exempted by the foregoing rule, are hereby declared ſubject to the payment of the tax, in common with all other Hindoos.

Rules as to troops marching through the town.

Second. In the event of the march of troops on ſervice through the town of Juggunnauth Pooree, their paſſage muſt neceſſarily be facilitated, but no detachment or body of troops ſhall be permitted to halt within the town of Juggunnauth Pooree. The commanding officer ſhall be required to furniſh the collector of the tax, with a liſt containing the names of thoſe native officers or ſepoys, who may be deſirous of viſiting the temple. The collector ſhall iſſue the neceſſary inſtructions for the admiſſion of all ſuch native officers and ſepoys, into the town, for the purpoſe of making the requiſite application for licenſes of acceſs, which ſhall be granted under the foregoing rules, by the collector, on the receipt of the preſcribed tax.

Rules as to pilgrims in a ſtate of poverty, or kungauls.

XXII. Pilgrims in an actual ſtate of poverty, or kungauls, on declaring under ſuch form or ceremony as ſhall be preſcribed by the native officers entruſted with the management of the temple, that they are not poſſeſſed of two rupees, and are unable to contribute the preſcribed tax, ſhall be entitled to licenſes of acceſs to the temple under the charge of a punda or purharree, during three days. On the following day, the punda or purharree ſhall return the licenſes to the office of the collector of the tax, in the manner and under the penalty for default preſcribed by Section XIV.

Collector to pay attention to the religious opinions of the Hindoos.

XXIII. The collector of the tax on pilgrims at Juggunnauth, is required at all times, to give every attention to the religious opinions of the Hindoos, and to the particular inſtitutions of the temple of Juggunnauth, which may be conſiſtent with the general regulations and with the maintenance of peace and good order at the temple, and its vicinity; and he ſhall on no account ſuffer his peons or miniſterial officers to enter the precincts of the temple.

A. D. 1809. REGULATION V.

A REGULATION *to provide in certain caſes for the trial of native ſubjects of the Britiſh Government, who may be charged with crimes or miſdemeanors committed in places out of the limits of the Britiſh provinces.*—PASSED *by the Governor General in Council, on the 6th of June 1809; correſponding with the 25th Jeyte 1216 Bengal era; the 8th Aſſar 1216 Fuſſily; the 26th Jeyte 1216 Willaity; the 9th Aſſar 1866 Sumbut; and the 21ſt Rubbee-us-Sanee 1224 Higeree.*

Preamble.

WHEREAS under the existing laws, native subjects of the British Government, are not amenable to the established criminal courts for crimes, or misdemeanors committed in places out of the limits of the British provinces; And Whereas, the purposes of justice require, that provision should be made for supplying this defect; the following rules have been enacted, to be in force throughout the British territories immediately subject to the Government of the presidency of Fort William, from the date of their promulgation.

How magiſtrates are to proceed againſt native ſubjects

II. *First.* Whenever a native subject of the British Government shall be charged with murder or homicide of any sort, rape

or

found within their juriſdiction in caſes of ſerious offences committed without the limits of the Britiſh provinces,

or other great personal violence, robbery, burning of houses, or violent affrays, or any other serious offence, committed in any place out of the limits of the British provinces; either against the subjects of the British Government, or any other persons, and shall be found in any part of such provinces; the magistrate of the city or zillah, in whose jurisdiction the accused person may be found, on the charge against him being deposed to on oath, or under a solemn declaration, either by the complainant, or by some other credible person, as required by Section IV, Regulation IX, 1807, shall issue process for apprehending or summoning the party accused, under the provisions of that regulation; and, on his attendance, shall make such inquiry into the charge, as the circumstances of the case, and the evidence attainable may admit of; after which he shall report his proceedings to the Governor General in Council.

Rules as 'o the commitment or holding to bail in ſuch caſes.

Second. In such cases the magistrate shall commit the prisoner or hold him to bail according as the nature of the charge in ordinary cases would require; in cases of commitment the form shall specify until the orders of government shall be received, and in cases of bail, the form of the bail bond shall be in the first instance to appear before the magistrate on a certain day assigned (leaving time for the receipt of the orders of government) and on such subsequent days as the magistrate shall require. Should government in the latter case direct the accused to be brought to trial, the magistrate shall cause the bail bond to be renewed in the ordinary form to appear and take his trial at the court appointed for that purpose.

Governor General in Council competent to direct ſuch perſons to be brought to trial before any of the eſtabliſhed criminal courts.

III. In cases referred under the preceding section, as well as in all cases of the like nature, which may, in any manner, come before the Governor General in Council, if it appear proper that the prisoner should be brought to trial for the offence imputed to him; the Governor General in Council, shall be competent to direct that the prisoner be brought to trial before any of the established courts of criminal judicature within the British provinces, which he may be pleased to appoint: and the special order of the Governor General in Council for the purpose shall be deemed full and sufficient authority for the trial, and punishment of such prisoner by the court so appointed; as well as by the court of Nizamut Adawlut, if the case be referrible, under the regulations in force, to that court.

IV. Whenever a native subject of the British Government shall be brought to trial, before any of the established courts of criminal judicature under the provisions of this regulation, the trial shall be conducted, and sentence thereupon passed and carried into execution, under the general regulations in force in like manner as if the offence had been committed within the British territories and the case subject, to the ordinary jurisdiction of those courts.

Such trials to be conducted, and ſentences paſſed in conformity with the general regulations for the trial of offences in ordinary caſes.

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A. D. 1809. REGULATION VI.

A REGULATION *for providing more effectually againſt the illicit cultivation of the poppy in the provinces of Bengal, Behar, Oriſſa, and Benares, and for extending to certain native officers employed by the Opium Agents, the proviſions contained in Section* X, *Regulation* XXXI, 1793, *and Section* IV, *Regulation* IX, 1801.—PASSED *by the Governor General in Council, on the* 4*th of Auguſt* 1809; *correſponding with the* 21*ſt Sawun* 1216 *Bengal era; the* 9*th Sawun* 1216 *Fuſſily*; *the* 22*d Sawun* 1216 *Willaity; the* 9*th Sawun* 1866 *Sumbut; and the* 21*ſt Jemaud-us-Sanee* 1224 *Higeree.*

Preamble.

WHEREAS the proviſions contained in Regulation VI, 1799, for preventing the illicit cultivation of the poppy, have not been found effectual: and whereas the branch of the public reſources ariſing from the excluſive privilege reſerved by government of manufacturing opium, is liable to be materially injured by the continuation of ſuch illicit cultivation;

cultivation: and whereas the proviſion of opium is expoſed to injury, from certain native ſervants employed under the opium agents being required to quit their ſtations in conſequence of ſuits or charges of a bailable nature being inſtituted againſt them; the Governor General in Council, with a view to obviate the inconveniences abovementioned, has been pleaſed to enact the following regulation, to be in force in the provinces of Bengal, Behar, Oriſſa, and Benares, from the date of its promulgation.

Section XV, Regulation VI, 1799, reſcinded.

II. Section XV, Regulation VI, 1799, is hereby reſcinded.

Proviſions in Sections III, IV, V, VI, VII, VIII, and XVI, Regulation XLI, 1803, extended to the lower Provinces

III. The proviſions contained in Sections III, IV, V, VI, VII, VIII, and XVI, Regulation XLI, 1803, are hereby extended to the provinces of Bengal, Behar, Oriſſa, and Benares.

Certain proviſions in Section X, Regulation XXXI, 1793, and in Section IV, Regulation IX, 1801, extended.

IV. The proviſions contained in Clauſes Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth, of Section X, Regulation XXXI, 1793, and Section IV, Regulation IX, 1801, are hereby extended to the undermentioned native officers employed under the agents for the proviſion of opium.

The Dewan,
Naib Dewan,
Caſhkeeper,
Mohurrers,
Nagree Writers,
Nazir,
Godown Keeper,
At the Head Station.
Gomaſtahs of Cooties,
Caſhkeepers ditto,
Mohurrirs ditto,
Purkias,
Dandidars.

A regiſter of officers enumerated in the preceding ſection to be made and tranſmitted to the magiſtrate of the diſtrict.

V. A regiſter of the names and ſtations of the officers enumerated in the preceding ſection ſhall be formed, and a copy of ſuch regiſter in the native languages ſhall be tranſmitted once in every year to the judge and magiſtrate of the zillah in which ſuch officers reſide. It ſhall alſo be the duty of the agents to keep the judge and magiſtrate informed of any intermediate changes of thoſe officers.

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A. D. 1809. REGULATION VII.

A REGULATION *for modifying certain parts of the exiſting Regulations reſpecting the duties leviable by means of ſtampt paper.*—PASSED *by the Governor General in Council, on the 4th Auguſt* 1809; *correſponding with the* 21*ſt Sawun* 1216 *Bengal era; the 9th Sawun* 1216 *Fuſſily; the* 22*d Sawun* 1216 *Willaity; the 9th Sawun* 1866 *Sumbut; and the* 21*ſt Jemaud-us-Sanee* 1224 *Higeree.*

WHEREAS inconvenience has been experienced from the complex manner in which the duty on certain deſcriptions of ſtampt paper is realized: and whereas it has been deemed adviſable to diſcontinue the duty levied at preſent by thoſe means on rowannahs or cuſtom houſe paſſes; on the ſunnuds to cauzees and to the vakeels of government, and on licenſes for the manufacture and ſale of ſpirituous liquors, tauree, and intoxicating drugs; the following rules have been enacted, to be in force from and after the periods hereafter ſpecified. Preamble.

II.

Rules which require the ſignature of the ſuperintendent or his officers to all ſtampt paper, reſcinded.

II. Such parts of Sections II, X, and XI, Regulation XIII, 1806, and Section IV, Regulation VIII, 1807, as require all ſtampt paper to be endorſed with the written official ſignature of the ſuperintendent of ſtamps, or other authorized officer under him, are hereby reſcinded from the preſent date. Provided however that ſuch reſciſſion ſhall not be conſtrued to prevent the ſale of any ſtampt paper already iſſued, or which may have already received the authentication of the ſuperintendent, or his covenanted aſſiſtants, until the 1ſt of January 1810.

Rules which direct different ſorts of papers to be uſed for certain different purpoſes, reſcinded.

III. *Firſt.* Such parts of Section XVI, XVIII, and XX, Regulation VI, 1797; Sections VI, and VII, Regulation X, 1797; Sections XXIII, and XXV, Regulation VII, 1800; together with Sections XV, and XXIII, Regulation XLIII, 1803 extended to the conquered provinces by Section XXVII, Regulation VIII, 1805, as preſcribe different ſorts of ſtampt paper; that is, paper bearing different ſtampt impreſſions for law papers; copies of judicial papers; copies of revenue papers, complaints puniſhable by the magiſtrates; and petitions or applications to the board of revenue or collectors, are hereby reſcinded. The ſheets or rolls to be uſed for any of thoſe purpoſes ſhall bear only one impreſſion of ſuch ſize as may be determined by the board of revenue as follows:

Law etcætera papers,	eight annas.

Such reſciſſion not to affect the ſale of ſtampt paper now prepared until the 1ſt January 1810.

Second. Under the rule contained in the latter part of the preceding Section, the ſtampt paper already iſſued or prepared for the different inſtruments and papers above ſpecified will of courſe continue to be uſed until the 1ſt of January 1810, when the rule contained in the foregoing clauſe of this ſection, ſhall be conſidered to be in full force and effect.

Rowannahs or cuſtom houſe paſſes not required to

IV. Such parts of the exiſting regulations as require that rowannahs or cuſtom houſe paſſes ſhall be written on ſtampt paper, are hereby reſcinded; ſuch rowannahs or paſſes ſhall in future be written on common paper, ſubject of courſe to the payment of ſuch duty as has been, or may be eſtabliſhed by Government. This rule ſhall be conſidered to be in force from the period of the promulgation of the preſent regulation; throughout the provinces immediately dependant on the Preſidency of Fort William.

be written upon ſtampt paper in future.

V. *Firſt.* Such parts of the exiſting regulations as require, that the licenſes to the manufacturers and venders of ſpirituous liquors, tauree and intoxicating drugs, ſhall be written on ſtampt paper, ſhall ceaſe to be in force from and after the following periods:

Abkarry licenſes not to be written upon ſtampt paper after certain periods.

In the province of Bengal, on the 11th April 1810, correſponding with the 31ſt Chyte 1216 Bengal era.

In the province of Oriſſa, on the 19th September 1809, correſponding with the 6th Aſſin 1216 Willaity.

In the provinces of Behar, Benares, and in the ceded and conquered provinces on the right and left banks of the River Jumna, and in the zillah of Bundlecund, from the 23d September 1809, correſponding with the 29th Aſſin 1216 Fuſſily.

Second. At the expiration of thoſe periods reſpectively, the licenſes for the manufacture and ſale of ſpirituous liquors, tauree and intoxicating drugs, ſhall be written on plain or common paper; ſubject of courſe to the payment of ſuch daily tax as has been or may be eſtabliſhed by government.

Such licenſes to be written on plain paper, but to be ſubject to ſuch duties as may be eſtabliſhed.

VI. Such parts of the exiſting regulations as require, that the ſunnuds to the cauzees and authorized vakeels of the civil courts, ſhall be written on ſtampt paper, are hereby reſcinded;

Sunnuds for cauzees and authoriſed vakeels to be written on plain paper, and not ſubject to any duty in future.

ed; ſuch ſunnuds ſhall from and after the promulgation of this regulation, be iſſued on common paper, and no duty ſhall in future be levied thereon.

Applications of the collectors to the courts of juſtice for the confinement or apprehenſion of defaulters, &c. to be written upon plain paper.

VII. The rules contained in Section XVII, Regulation VI, 1797, are hereby declared not to be applicable to caſes of applications made by the collectors to the courts of judicature under Section V, Regulation XIV, 1793, and Clauſe Second, Section XXIII, Regulation VII, 1799; and the judges ſhall in future receive all applications of the collectors either for the apprehenſion or confinement of defaulters, or on any other ſubject relating to the public revenue written upon common paper without a ſtamp. Provided however that this rule ſhall not be conſidered applicable to any regular ſuits in which the collectors may be engaged as plaintiffs or defendants, either on their own account as individuals, or on the part of government.

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BENGAL SECRETARIAT LIBRARY

A. D. 1809. REGULATION VIII.

A REGULATION *for modifying parts of the rules in force, reſpecting the appointment and removal of the native officers of Government, in the Judicial, Revenue and Commercial Departments.*—PASSED *by the Vice Preſident in Council, on the* 29*th Auguſt* 1809; *correſponding with the* 15*th Bhadoon* 1216 *Bengal era; the* 4*th Bhadoon* 1216 *Fuſſily; the* 16*th Bhadoon* 1216 *Willaity; the* 4*th Bhadoon* 1866 *Sumbut; and the* 17*th Rajub* 1224 *Higeree.*

Preamble.

UNDER the rules preſcribed by Regulation V, 1804, the confirmation of the appointment, reſignation and removal of the principal miniſterial native officers, employed in the courts of Sudder Dewanny Adawlut and Nizamut Adawlut, the provincial courts of appeal and circuit, the zillah and city civil courts, and the courts of the magiſtrates in the ſeveral zillahs and cities, as well as of the principal native officers employed under the Boards of Revenue and Trade, the collectors of the revenue and cuſtoms, the commercial reſidents and agents, and the agents for the proviſion of ſalt and opium, is reſerved to the Governor General in Council; to whom is alſo reſerved the confirmation of the appointment, reſignation and removal of the law officers of the ſeveral courts of juſtice; the cauzy-ul-cuzaut, and the cauzies of the ſeveral cities, towns and pergunnahs, the keepers of the records of the courts of judicature and collectorſhips; the police darogahs, and the other principal officers of the police. It is at the ſame time required, by Section VI, of the regulation abovementioned, that whenever the authorities ſpecified, may ſee cauſe for the removal of any of the native officers in queſtion, they ſhall, after communicating to ſuch officer the grounds upon which he may be conſidered undeſerving of continuance in his ſtation, and calling upon him to ſtate what he may have to offer in his defence, tranſmit through the preſcribed channel of public correſpondence, to the Governor General in Council, a report of the circumſtances of the caſe, with a copy and tranſlation of the communication made to the officer, and his anſwer accompanied by a copy and tranſlation of any proceedings or documents referred to in the report, which may be material to the caſe, and appear neceſſary for the full information of the Governor General in Council: a ſimilar mode of proceeding is directed with reſpect to other deſcriptions of native officers, the confirmation of whoſe appointment, reſignation, and removal is left to the courts of Sudder Dewanny Adawlut, and Nizamut Adawlut; or to the Board of Revenue or Board of Trade. The obſervance of theſe rules has been found to occaſion conſiderable labour, and occupation of time, in the public offices, to the interruption of other buſineſs of importance, and it is conſidered that the object of them, ſtated in the preamble to Regulation V, 1804, may be effectually attained, with ſome modification of the requiſition for a full report of proceedings, by transferring to the courts of Sudder Dewanny Adawlut and Nizamut Adawlut, and the provincial courts of appeal and circuit, to the Boards of Revenue and Trade, and to the Board of Commiſſioners in the upper provinces, the power of confirming the appointment, reſignation and removal of the native officers ſpecified; excepting only the law officers of the courts of Sudder Dewanny Adawlut and Nizamut Adawlut, whoſe appointment and removal, from the nature of their functions, ſhould be ſtill reſerved to government. The local knowledge poſſeſſed by the courts of circuit, and the number of caſes brought before them at the zillah and city jail deliveries, in which the conduct of the police officers falls within their obſervation, render it particularly expedient, that thoſe courts ſhould control the appointment and removal of the cutwals, police darogahs and other principal officers of the police. And it is neceſſary to declare, with reſpect to theſe and other native officers, that they will be liable to removal from the public truſts committed to them, although no ſpecific act of criminality may be eſtabliſhed againſt them, when there is ſufficient reaſon to conſider them incapable, or neglectful of their preſcribed duties; or in any reſpect unworthy of public confidence; eſpecially, with regard to the police officers, when robberies or other public crimes may become prevalent within the local limits of their juriſdiction. The following rules are accordingly enacted by the Governor General in Council, to be in force as ſoon as promulgated, throughout the whole of the provinces immediately ſubject to the Preſidency of Fort William.

Regulation V, 1804, and any other regulation in force for the appointment and removal of native officers declared to be modified by this regulation.

II. The rules contained in Regulation V, 1804, and of any other regulation in force, for the appointment and removal of the native officers of govenment in the judicial, revenue and commercial departments, and in the departments of ſalt, opium and cuſtoms, are hereby declared ſubject to the ſeveral modifications and proviſions contained in the preſent regulation.

Powers veſted in the principal judicial, revenue and commercial authorities, reſpecting the removal and appointment of native officers.

III. The courts of Sudder Dewanny Adawlut and Nizamut Adawlut, the provincial courts of appeal and circuit, the Boards of Revenue and Trade, and the Board of Commiſſioners in the weſtern provinces, ſhall hereafter exerciſe, without reporting their proceedings for the ſanction of Government;

vernment; the power of appointing, removing, and accepting the reſignation of the principal miniſterial native officers acting under them reſpectively, as well as all other native officers on their reſpective eſtabliſhments, excepting the law officers attached to the courts of Sudder Dewanny Adawlut and Nizamut Adawlut; whoſe nomination, removal, and reſignation, ſhall be reported as heretofore, for the previous ſanction of the Governor General in Council.

Court of Sudder Dewanny Adawlut empowered to confirm the appointment, removal, and reſignation of the law officers of the provincial, zillah, and city courts, and the cauzies of cities, towns and pergunnahs.

IV. *Firſt.* The court of Sudder Dewanny Adawlut is empowered to confirm the appointment, removal, and reſignation of the law officers of the provincial, zillah, and city courts, and of the cauzies of cities, towns, and pergunnahs, on receiving the reports preſcribed by Sections V, VI, and IX, Regulation V, 1804, with the following modification of Section VI.

Rules to be obſerved by a provincial, zillah, or city court on ſeeing cauſe for the removal of a law officer on the ground of miſconduct, neglect of duty, or experienced incapacity.

Second. Whenever a provincial, zillah, or city court, may ſee cauſe for the removal of a law officer or cauzy, on the ground of any miſconduct, or neglect of duty, experienced incapacity or other diſqualification, ſuch court ſhall report the circumſtances of the caſe with its opinion on the ſubject to the Sudder Dewanny Adawlut, who will paſs ſuch order on the report ſo made as may appear to be proper, or will call for any additional information, or direct any further enquiry, which the nature and circumſtances of the caſe may require.

Courts of circuit empowered to confirm the appointments, removal and reſignation of cutwals and police darogahs.

V. *Firſt.* The courts of circuit are empowered to confirm the appointment, removal, and reſignation of the cutwals and police darogahs, within their reſpective diviſions, on receiving from the zillah and city magiſtrates, the reports ſpecified in the following clauſes.

Zillah and city magiſtrates to nominate cutwals and darogahs, and to be held reſponſible

Second. The zillah and city magiſtrates ſhall nominate as heretofore, the cutwals and police darogahs within their reſpective juriſdictions, and will in conſequence, be held reſponſible for ſelecting perſons duly qualified. But inſtead of reporting to the court of Nizamut Adawlut, the information obtained by them reſpecting the paſt employments, character, and qualifications of the perſons propoſed by them, to fill the vacant office of cutwal, or police darogah, they ſhall make this report to the court of circuit of the diviſion, to which they are ſubordinate; and it ſhall be competent to ſuch court of circuit to confirm the appointment of the perſon ſo nominated, if they ſee no objection thereto; or to call for any further information that may appear requiſite, reſpecting the paſt employments, character, or qualifications of the perſon propoſed; or if the appointment of ſuch perſon appear objectionable, to require the magiſtrate to nominate another perſon. No future appointment to the office of cutwal, or police darogah, ſhall be conſidered final till confirmed by the court of circuit, under the authority veſted in it, by this ſection. But the magiſtrate is authorized to make temporary appointments, of perſons duly qualified to perform the duty of cutwal, or police darogah, in caſes of death, removal, ſuſpenſion, or reſignation, immediately reporting the ſame for the information of the court of circuit.

for ſelecting perſons duly qualified.

Rules for the zillah and city magiſtrates on nominating ſuch perſons.

Court of circuit competent to confirm the appointment of perſons ſo nominated.

No appointment to be conſidered final, till confirmed by the court of circuit.

Magiſtrates authorized to make temporary appointments of police darogahs or cutwals in caſes of death, reſignation, removal, or ſuſpenſion.

Third. Whenever a cutwal or police darogah may be deſirous of reſigning his office, his reſignation ſhall be received and recorded by the magiſtrate, in open court, and ſhall be tranſmitted, without delay, to the court of circuit, with the nomination of a proper perſon to be his ſucceſſor in conformity with the preceding clauſe.

In what manner magiſtrates are to act on receiving the reſignation of a cutwal, or police darogah.

Fourth. When a magiſtrate ſhall ſee cauſe for the removal of any cutwal, or police darogah on the ground of miſconduct, neglect of duty, experienced incapacity, or other diſqualification, ſuch magiſtrate ſhall report the circumſtances of the caſe with his opinion on the ſubject, to the court of circuit, who will paſs ſuch order, as may appear proper on the report ſo made; or call for further

information,

Rules to be obſerved by zillah and city magiſtrates when they ſhall ſee cauſe for the removal of any cutwal or police darogah, on the ground of miſconduct, neglect of duty, or experienced incapacity or other diſqualification, for the truſt committed to him. How courts of circuit are to act in ſuch caſes.

information, or direct any further enquiry, which the nature and circumſtances of the caſe may require.

In what inſtances magiſtrates are authorized to order immediate ſuſpenſion of a police officer, and how they are to act in ſuch caſes.

Magiſtrates authorized to impoſe a fine on any police officer ſubject to his authority for neglect of duty, in a ſum equal to one month's ſalary.

Fifth. In caſes of groſs miſconduct, neglect, or incapacity, ſuch as to require the immediate ſuſpenſion of a police officer, the magiſtrate is authorized to order the ſame, reporting it with the other information required from him, to the court of circuit. He may alſo, in addition to the general powers veſted in him by the regulations for the puniſhment of any ſpecific crime, or miſdemeanor, fine any officer of police under his authority for neglect of duty, in a ſum equal to one month's ſalary; and cauſe the ſame to be levied by a ſtoppage of the fixed allowance payable to ſuch officer. And it is hereby declared, that police officers, of every denomination, as well as all other native officers in the ſervice of government; will be liable to removal from the public truſts committed to them, without proof of any ſpecific act of criminalty, whenever there may be ſufficient reaſon to believe them incapable, or neglectful of their preſcribed duties; or in any reſpect unworthy of public confidence.

Police officers of every denomination as well as all other native officers, liable to removal without proof of any ſpecific act of criminality, when there may be ſufficient reaſon to believe them incapable or neglectful of their duties, or in any reſpect unworthy of confidence.

Rules for the guidance of the zillah and city magiſtrates when they may ſee cauſe for removing a cutwal or police darogah from one ſtation to another.

VI. The zillah and city magiſtrates ſhall alſo report to the court of circuit whenever they may ſee cauſe for removing a cutwal, or police darogah, from one ſtation to another, within their reſpective juriſdictions; and ſhall not make ſuch removals without the previous ſanction of the court of circuit, unleſs in any particular inſtance, there may appear to be urgent reaſon for it; in which caſe they ſhall immediately report the ſame for the information and orders of the court of circuit.

Provincial courts of appeal and circuit, empowered to confirm the appointment, removal and reſignation of the principal miniſterial officers of the zillah and city judges and magiſtrates, and the record

VII. *Firſt.* The provincial courts of appeal and circuit, are empowered to confirm the appointment, removal, and reſignation, of the principal miniſterial native officers of the zillah and city judges and magiſtrates, as well as of the record keepers, and the whole of the native officers on the eſtabliſhments of the zillah courts, civil and criminal, receiving a ſalary of ten rupees per menſem or upwards, the power of confirming whoſe appointment, reſignation and removal, was reſerved to Government, or to the courts of Sudder Dewanny Adawlut, and Nizamut Adawlut, by Sections IV, X, and XV, Regulation V, 1804.

keepers, as well as the whole of the native officers of the zillah courts, civil and criminal, who receive a ſalary of ten rupees, or upwards.

Second. The whole of the proviſions contained in Section V, relative to the police officers, ſhall be conſidered equally applicable to the native officers referred to in the preſent ſection, and the zillah and city judges, and magiſtrates, are authorized and directed to proceed accordingly, making their reports to the provincial court of appeal, or to the court of circuit, as the officer, whoſe nomination, reſignation, or removal, is reported, may be attached to the zillah or city civil court, or to that of the magiſtrate.

The proviſions contained in Section V, relative to police officers, to be conſidered equally applicable to the native officers referred to in the preſent ſection.

VIII. The rules contained in the preceding ſection, are not meant to be applicable to the native commiſſioners for the trial of civil cauſes, whoſe appointment and removal will be ſubject as heretofore, under Section XIX, Regulation V, 1804, to the approval of the court of Sudder Dewanny Adawlut. But when the judge of a zillah or city court ſhall ſee cauſe for the removal of any ſuch officer, it ſhall be ſufficient to proceed as directed in Clauſe Second, Section IV, of the preſent regulation, inſtead of obſerving the rule preſcribed by Section VI, Regulation V, 1804. It is further hereby declared, that any native commiſſioner who may appear to have been guilty of groſs neglect, or other miſconduct, in any cauſe determined by him, ſhall not be conſidered entitled to the inſtitution fee in ſuch cauſe, and may be required to repay the ſame, if received by him.

The appointment and removal of native commiſſioners for the trial of civil cauſes; to remain as heretofore ſubject to the approval of the Sudder Dewanny Adawlut.

But Section IV, of the preſent regulation declared applicable.

Any native commiſſioner who may appear to be guilty of groſs neglect or miſconduct in any cauſe determined by him, not to be entitled to the inſtitution fee, and may be required to return the ſame.

IX. The proviſions of this Regulation, except Clauſe Fifth, Section V, which is hereby declared applicable to the whole of the native officers of Government, in addition to any other ſpecific proviſions in force, are alſo not intended to include the native officers attached to the courts of juſtice, civil or criminal, who receive leſs than ten rupees per menſem; or the naibs, jemadars,

Proviſions in this regulation not applicable to native officers in the courts of juſtice receiving leſs than ten rupees per menſem except Clauſe Fifth, Section VII, which is declared applicable to the whole of the native officers of Government.

jemadars, burkundazes, and other ſubordinate police officers, reſpecting whom the rules contained in Sections XII, XIII, and XIV, Regulation V, 1804, will remain in force, as heretofore.

Rules in Regulation V, 1804, which are ſtill to be conſidered in force with the following modifications.

X. *Firſt.* The rules preſcribed by Sections X, XII, XIII, XIV, XV, XVI, XVII, XVIII, and XIX, Regulation V, 1804, reſpecting the native officers employed in the revenue and commercial departments, and in the departments of cuſtoms, ſalt, and opium, are alſo to be ſtill conſidered in force, with the following modifications and additions.

Collectors of revenue and cuſtoms, in the upper provinces, how to proceed under above rules.

Second. The reports directed to be made to the Board of Revenue, are to be made to the Board of Commiſſioners in the upper provinces, by the collectors of revenue and cuſtoms, ſubordinate to the authority of the Board of Commiſſioners.

Head native officers and record keepers in collectorſhips by whom to be appointed.

Third. The appointment and removal of the head native officers employed under the collectors of revenue and cuſtoms, and the keepers of the records in the ſeveral collectorſhips, inſtead of being reported to the Governor General in Council as required by Sections IV and X, Regulation V, 1804, are left to the determination of the Board of Revenue, and Board of Commiſſioners, upon the reports of the collectors. In like manner the Board of Trade are empowered to determine upon the appointment and removal of the head native officers employed under the commercial reſidents, and agents, and the agents for the proviſion of ſalt, or opium, upon report from thoſe officers.

Collectors, commercial reſidents and agents how to proceed in caſes of propoſed removals.

Fourth. In caſes of propoſed removals, the collectors, commercial reſidents, and agents, ſhall proceed in conformity with Clauſe Second, Section IV, of the preſent regulation, inſtead of obſerving the rule preſcribed by Section VI, Regulation V, 1804.

Collectors of land revenue and cuſtoms, commercial re-

Fifth. The collectors of the land revenue and cuſtoms, the commercial reſidents and agents, and the agents for the proviſion of ſalt or opium, are authorized to adminiſter an oath, under the proviſions of Section VI, Regulation IV, 1793; and Section V, Regulation L, 1803, (correſponding with Section VII, Regulation III, 1803, and Clauſe Sixth, Section XXV, Regulation VIII, 1803, for the ceded and conquered provinces), to any witneſſes, whom it may be neceſſary to examine reſpecting the conduct of any native officer employed under them reſpectively. Provided, that if any witneſs ſhall refuſe to take the oath required from him, he ſhall be ſent to the judge of the zillah or city court, to be confined as preſcribed by the regulations in ſimilar caſes.

ſidents and agents, and the agents for the proviſion of ſalt or opium authorized to adminiſter oaths to witneſſes whom it may be neceſſary to examine reſpecting the conduct of any native officer employed under them.

How to proceed in caſes when witneſſes may refuſe to take the oath.

XI. *Firſt.* On receipt of this regulation, the ſeveral zillah and city judges and magiſtrates, ſhall furniſh the provincial courts of appeal and circuit in their reſpective diviſions, with complete ſtatements of their eſtabliſhments, and of all eſtabliſhments of public officers acting under them, which have been authorized by Government, ſpecifying the names and dates of appointment, of all officers receiving ten rupees per menſem, or upwards. Copies of the ſtatements ſo received, ſhall be forwarded by the provincial courts of appeal and circuit, to the civil auditor, who will report through the proper channel, any deviations from the fixed eſtabliſhments, or any unauthoriſed changes, in the officers employed upon ſuch eſtabliſhments, for the orders of the Governor General in Council.

Zillah and city magiſtrates to furniſh the provincial courts of appeal and circuit with complete ſtatements of their eſtabliſhments.

Copies to be forwarded to the civil auditor by the provincial courts of appeal and circuit.

Second. The provincial courts of appeal and circuit are further required to tranſmit to the civil auditor, a monthly report of any appointments, or removals which may be ſanctioned under the authority veſted in them by this regulation, either of the native officers on their own eſtabliſhments, or of thoſe on the eſtabliſhments of the zillah and city judges and magiſtrates of their reſpective diviſions.

Provincial courts of appeal and circuit to tranſmit a monthly report to the civil auditor.

XII. Nothing in this regulation ſhall be conſtrued to empower the provincial courts of appeal and circuit, to authorize any

No alteration in the diſtribution of the fixed public eſtabliſhments authorized by this regulation.

any addition to, or alteration in the diſtribution of the fixed public eſtabliſhments, without the ſpecial ſanction of Government; but for the regular information of the provincial courts of appeal and circuit, all correſpondence on the ſubject of the judicial and police eſtabliſhments in the ſeveral zillahs and cities, ſhall paſs through the provincial courts of appeal and circuit, who in ſubmitting to the courts of Sudder Dewanny or Nizamut Adawlut, or to the Governor General in Council, any propoſitions of the zillah and city judges or magiſtrates, relative to their eſtabliſhments, ſhall, at the ſame time, communicate their ſentiments, after requiring any further information on the ſubject which may appear neceſſary.

All correſpondence relating to judicial and police eſtabliſhments to paſs through the courts of appeal and circuit.

Who will ſtate their ſentiments on forwarding the ſame to the Sudder Dewanny Adawlut, or Nizamut Adawlut, or to the Governor General in Council.

XIII. It is hereby further declared, that nothing in the preſent regulation ſhall be conſtrued to preclude the Governor General in Council, or the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut, from ordering the removal of a native officer, upon juſt and ſufficient ground appearing for ſuch order. Nor is any part of this regulation meant to prevent the exerciſe of the general authority veſted in the courts of Sudder Dewanny Adawlut and Nizamut Adawlut by the regulations in force.

Nothing in this regulation meant to preclude government, or the Sudder Dewanny and Nizamut Adawluts from ordering the removal of a native officer.

Or from the exerciſe of the general authority veſted in the Sudder Dewanny Adawlut and Nizamut Adawlut.

XIV. The Governor General in Council reſerves to himſelf the power of ordering the rules contained in this regulation, to be extended to any other native officers in the ſervice of Government, to whom the ſame may be conſidered applicable, although not ſpecifically included in the proviſions of this regulation, or of Regulation V, 1804.

The Governor General in Council, reſerves to himſelf the power of extending the rules contained in this regulation, and in Regulation V, 1804, to any other native officers in the ſervice of Government.

⁂

A. D. 1809. REGULATION IX.

A REGULATION *for empowering the Calcutta provincial court to receive appeals from the deciſions of the commiſſioner at Chinſurah and ſuperintendent of Chandernagore, in certain caſes; and to make further proviſion for the adminiſtration of civil juſtice at thoſe ſettlements.*—PASSED *by the Vice Preſident in Council, on the* 3*d October* 1809; *correſponding with the* 19*th Aſſin* 1216 *Bengal era; the* 10*th Aſſin* 1217 *Fuſſily; the* 20*th Aſſin* 1217 *Willaity; the* 9*th Aſſin* 1866 *Sumbut; and the* 22*d Shabaan* 1224 *Higeree.*

Preamble. IN consequence of a recent arrangement made for executing the duties of the offices of commissioner at Chinsurah, and superintendent of Chandernagore, it has been deemed expedient to discontinue the office of deputy commissioner at the former settlement, and that of deputy superintendent at the latter. It is therefore necessary to make provision for the trial of civil causes between the native inhabitants, or in which a native is defendant, heretofore tried and determined by the deputy commissioner at Chinsurah, and deputy superintendent at Chandernagore, in the cutcherry or native court, subject to appeal to the commissioner and superintendent, and the following rules have been enacted by the Vice President in Council for this purpose, to be considered in force, as soon as promulgated, in the settlements of Chinsurah and Chandernagore, respectively.

Part of Section II, Regulation I, 1805, reſcinded.

II. Clauses Second and Third, Section II, Regulation I, 1805, are hereby rescinded.

Native commiſſioners, to be appointed at Chinſurah and Chandernagore, and what cauſes to be tried by them.

III. *First.* One or more native commissioners, shall be appointed at Chinsurah and Chandernagore, for the trial and decision, of all causes of a civil nature between the native inhabitants, or in which a native may be the defendant, not exceeding in amount, or value, the sum of one hundred sicca rupees.

Eſtabliſhment of native commiſſioners to be propoſed to Sudder Dewanny Adawlut by commiſſioner and ſuperintendent.

With opinion whether they ſhould be veſted with powers of moonſiffs or ſudder ameens.

Proper perſons to be, at the ſame time, nominated for the office.

Second. On receipt of this regulation, the commissioner at Chinsurah and superintendent at Chandernagore, shall propose to the court of Sudder Dewanny Adawlut, such establishment of native commissioners for the two settlements as may appear to him necessary, with his opinion whether it would be expedient to vest them respectively with original jurisdiction as moonsiffs; or to employ them as referees, with the powers vested in sudder ameens by Section IX, Regulatoin XLIX, 1803. He shall, at the same time, nominate for the confirmation of the Sudder Dewanny Adawlut, proper persons to fill the proposed office of moonsiff, or ameen, in conformity with the section above mentioned.

By what rules the native commiſſioners are to be guided.

Third. The native commissioners appointed under this regulation, shall be guided by the rules in force for native commissioners of the same description, appointed under Regulations XL, 1793, and XLIX, 1803, as far as the same may be applicable to the settlements of Chinsurah and Chandernagore, with such local modifications, and additions, as may be sanctioned by the court of Sudder Dewanny Adawlut upon a report from the commissioner and superintendent; who, on receipt of this regula-

tion,

Local rules to be framed by commiſſioners and ſuperintendent, and ſubmitted to Sudder Dewanny Adawlut.

tion, shall frame and submit to the Sudder Dewanny Adawlut, such local rules for the guidance of the native commissioners at Chinsurah and Chandernagore respectively, as he may judge expedient.

Appeal from all deciſions of the native commiſſioners to the commiſſioner and ſuperintendent.

IV. *First.* An appeal shall lie to the commissioner at Chinsurah and superintendent of Chandernagore, in his judicial capacity, from all decrees and orders passed by the native commissioners; provided that the appeal be preferred within three months; or if not preferred within this period, that sufficient reason be assigned for the delay.

In what caſes the judgment of the commiſſioner and ſuperintendent to be final.

Subject only to a ſpecial appeal at the diſcretion of the Calcutta provincial court.

Second. In such cases, as well as in all cases tried by the commissioner at Chinsurah, or superintendent at Chandernagore, in the first instance, wherein the amount or value adjudged, or disallowed by the decree of the commissioner, or superintendent, may not exceed the sum of one hundred sicca rupees, his judgment shall be final; unless the decree passed by him shall appear, on the face of it, erroneous, or unjust, or from the nature of the cause, as stated in the decree, it shall appear of sufficient importance to merit a further investigation in appeal, in which case it shall be competent to the provincial court of appeal for the division of Calcutta, to admit a special appeal to that court.

In what caſes a regular appeal lies to the Calcutta provincial court.

V. *First.* In all suits between the native inhabitants of Chinsurah, and Chandernagore, or in which a native may be the defendant, if the amount or value adjudged, or disallowed, by the commissioner or superintendent, shall exceed the sum of one hundred sicca rupees, and shall not be more than five thousand sicca rupees, an appeal from his judgment shall lie to the Calcutta provincial court of appeal, provided the appeal be preferred within three months after the appellant shall have been furnished with a copy of the decree appealed from; or if not preferred within this period, that sufficient reason be assigned, to the satisfaction of the provincial court, for the delay.

Second.

Deciſion of provincial court to be final, unleſs the Sudder Dewanny Adawlut ſee grounds for a ſpecial appeal to that court.

Second. In appeals to the provincial court under this section, the decision of that court shall be final, unless the court of Sudder Dewanny Adawlut shall be of opinion that there are special grounds for an appeal to that court, in which case it shall be competent to the Sudder Dewanny Adawlut to admit a special appeal.

In what caſes an appeal from the deciſion of the commiſſioner and ſuperintendent lies to the Sudder Dewanny Adawlut.

VI. In the suits referred to in the preceding section, viz. between the native inhabitants of Chinsurah and Chandernagore, in which a native may be the defendant, if the amount, or value, adjudged or disallowed by the commissioner or superintendent, shall exceed the sum of five thousand sicca rupees, an appeal shall lie to the court of Sudder Dewanny Adawlut, provided the appeal be preferred within three months after the appellant shall have been furnished with a copy of the decree appealed from; or, if not preferred within this period, that sufficient reason be assigned, to the satisfaction of the Sudder Dewanny Adawlut, for the delay.

Reſervation of appeal to Sudder Dewanny Adawlut, in all caſes tried and decided in the European courts of juſtice, as heretofore.

Provided the amount or value adjudged, or diſallowed, exceed one hundred ſicca rupees.

A ſpecial appeal only to lie in caſes within the above limitation.

VII. An appeal to the court of Sudder Dewanny Adawlut shall also lie, as heretofore, under Clause First, Section II, Regulation I 1805, in all suits of a civil nature instituted, heard, and determined in the first instance, in the European courts of justice, established at Chinsurah and Chandernagore; provided the amount or value adjudged, or disallowed, by the decree, or sentence, of the commissioner or superintendent shall exceed the sum of one hundred sicca rupees. If the amount or value adjudged, or disallowed, shall not exceed one hundred sicca rupees, the judgment of the commissioner or superintendent shall be deemed final; unless the court of Sudder Dewanny Adawlut, shall see cause for admitting a special appeal to that court, in which case it shall be competent to admit the same.

What proviſions of Regulation I, 1805, applicable to Calcutta

VIII. ***First.*** The provisions containedin Sections IV, V, VI, VII, VIII, IX, X, XI, and XII, Regulation I, 1805, relative to appeals receivable under that regulation by the court of Sudder Dewanny Adawlut, shall be considered equally applicable to appeals receivable under the present regulation, by the provincial court of appeal for the division of Calcutta.

provincial court under preſent regulation.

Sections XI, XII, and XIII, regulation XIII, 1808, alſo applicable to appeals under this regulation.

Second. Sections XI, XII, XIII, Regulation XIII, 1808, relative to the execution of decrees appealed from, or staying the execution, and the security to be taken, in such cases, shall also be considered applicable to all appeals received under this regulation whether by the Sudder Dewanny Adawlut, or by the Calcutta provincial court.

Rule for allowing fees to pleaders when employed by the parties in ſuch appeals.

Third. Whenever the parties in such appeals may appoint an established pleader, or pleaders, to appear for them, either in the Sudder Dewanny Adawlut or the provincial court, under the option given by Section V, Regulation I, 1805, it shall be at the discretion of the court to adjudge such compensation to the pleader, or pleaders, so employed, not exceeding the usual rate, as may appear reasonable and proper.

In what manner the proviſions of this regulation are to be applied to depending appeals from deciſions of the late deputy commiſſioner at Chinſurah and deputy ſuperintendent of Chandernagore.

IX. The provisions in this regulation shall be considered applicable to all depending appeals from the decisions of the late deputy commissioner at Chinsurah, and deputy superintendent of Chandernagore. If the amount or value adjudged or disallowed by the deputy be not more than one hundred sicca rupees, a final decree upon the case shall be passed by the commissioner, or superintendent, subject to a special appeal only to the Calcutta provincial court. If the amount or value adjudged or disallowed by the deputy, exceed the sum of one hundred rupees, and an appeal from his judgment be still depending, it shall be transferred to the Calcutta provincial court, or to the court of Sudder Dewanny Adawlut, as the appeal may be cognizable by the former, or the latter; under the standard established by Sections V, and VI, of this regulation.

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A. D. 1809. REGULATION X.

A REGULATION *for the eſtabliſhment of a copper coinage in the province of Benares.*—PASSED *by the Vice Preſident in Council, on the* 15*th December* 1809; *correſponding with the* 2*d Pooſe* 1216 *Bengal era; the* 23*d Aughun* 1217 *Fuſſily; the* 3*d Pooſe* 1217 *Willaity; the* 9*th Aughun* 1866 *Sumbut; and the* 7*th Zekaad* 1224 *Higeree.*

Preamble.

WHEREAS it is expedient, that fixed and defined rules should be established for regulating the copper currency of the province of Benares, the following rules have been enacted by the Vice President in Council, to be in force in that province from the period of their promulgation.

The copper coin for Benares ſhall be pice of pure copper, and of only one ſize, coined at Calcutta.

II. The copper coin struck for the province of Benares shall be of pure copper, and shall be confined to pice of one size only, to be coined at the Calcutta Mint.

Size and weight of the coin.

III. The pice shall be 19-20th parts of an inch in diameter, and shall weigh sicca weight eight annas nine pie each, and shall bear the following inſcription, in the Persian and Nagree characters:

On

Inſcription.

On one side, in Persian,
"The 37th year of the reign of Shah Allum Badshah."
On the Reverse, in both Persian and Nagree,
"One Pic Sicca."

To be a legal tender for any fractional part of a rupee.

IV. The copper coin established by this regulation, shall be considered to be a legal tender of payment in all money transactions, whether between government and its subjects, or between individuals in the province of Benares, for any sum being the fractional part of a rupee, at the rate of sixty-four pice for one Benares sicca rupee.

Perſons liable to proſecution for melting, counterfeiting or otherwiſe debaſing the coin.

V. Persons charged with melting, counterfeiting, clipping, filing, drilling, defacing, or debasing the copper coin, established under this regulation, will be liable to be prosecuted in the criminal courts, and to be punished as the law may direct.

Limitation of time as to the currency of copper pice now in circulation.

VI. The copper pice of all denominations at present in circulation in the province of Benares, shall be received as heretofore in all public and private transactions for the period of six months, from and after the promulgation of this regulation; but after the expiration of that period, no copper coin, except that established by this regulation, shall be considered as a legal tender in payment of any proportion of any public or private demand.

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TO THE

REGULATIONS,

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Rules directing different ſorts of ſtamps for different purpoſes, reſcinded, - -	——	III.	*Firſt.*	
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Not to be uſed for the ſunnuds of cauzees and vakeels, - - -	——	VI.		
Not to be uſed in applications of collectors to the courts for the apprehenſion of offenders,	——	VII.		§ XVII, R. VI, 1797, explained.
ZILLAH AND CITY MAGISTRATES.				
How to act in the caſe of a native Britiſh ſubject committing a heinous offence out of the limits of the Britiſh provinces, -	V.	II.	*First and Second.*	
Trial in ſuch caſes how to be conducted, -	——	IV.		
What report to furniſh on receipt of Regulation VIII, 1809, and to whom, -	VIII.	XI.	*Firſt.*	

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TITLES
OF THE
REGULATIONS,
PASSED IN THE
YEAR 1810.

REGULATION

I.

A REGULATION *for occaſionally diſpenſing with the attendance and futwa of the law officers of the courts of circuit.—Paſſed on the 12th January,* 1810.

II.

A REGULATION *for the ſuppreſſion of robberies and other crimes and offences by armed horſemen, commonly known by the appellation of cozaucks.—Paſſed on the 23d January,* 1810.

III.

A REGULATION *for diſpenſing with the oaths of paupers, on their ſubſcribing a ſolemn declaration, in certain caſes.—Paſſed on the 23d January,* 1810.

IV.

A REGULATION *for aboliſhing the office of commiſſioner in Cuttack.—Paſſed on the 2d February,* 1810.

V.

A REGULATION *for amending the exiſting rules for the diviſion of eſtates, paying revenue to Government.—Paſſed on the 2d February,* 1810.

VI.

A REGULATION *for defining the penalties to which zemindars and others ſhall be ſubject for neglecting to give due information of robberies, and for harbouring robbers.—Paſſed on the 9th February,* 1810.

VII.

A REGULATION *for collecting a toll on boats paſſing along the canal leading from the Boitakhana road to the ſalt water lake.—Paſſed on the 23d February,* 1810.

VIII.

A REGULATION *for the appointment of ſuperintendants of Police in the diviſions of Patna, Benares, and Bareilly.—Paſſed on the 16th March,* 1810.

IX.

A REGULATION *for reſcinding the whole of the regulations at preſent in force for the collection of the Government cuſtoms, in the provinces of Bengal, Behar, Oriſſa, and Benares, and in the ceded and conquered provinces; and for re-eſtabliſhing thoſe cuſtoms, with amended rules for the collection of them.—Paſſed on the 10th April,* 1810.

X.

A REGULATION *for aboliſhing the duties at preſent collected under the denomination of town duties, and for eſtabliſhing in place thereof a town duty to be levied on certain ſpecified articles of conſumption.—Paſſed on the 10th April,* 1810.

REGULATION.

XI.

A REGULATION *for amending a part of Regulation* IV, 1809, *reſpecting the temple of Juggunnauth.—Paſſed on the* 27th *of April*, 1810.

XII.

A REGULATION *for modifying the rules contained in Section* II, *Regulation* VII, 1809; *and Section* VI, *Regulation* X, 1809.—*Paſſed on the* 4*th May*, 1810.

XIII.

A REGULATION *for expediting the trial and deciſion of cauſes depending in the civil courts; and for promoting the amicable adjuſtment of civil ſuits.—Paſſed on the* 4*th May*, 1810.

XIV.

A REGULATION *for defining the powers of the court of Nizamut Adawlut, in caſes of pardon and mitigation of puniſhment; and for declaring the competency of the courts of circuit, to admit priſoners to bail, in certain caſes, during a reference of their trials to the Nizamut Adawlut —Paſſed on the* 6*th July*, 1810.

XV.

A REGULATION *for levying a tax on houſes in certain cities and towns in the provinces of Bengal, Behar, Oriſſa, and Benares.—Paſſed on the* 6*th October*, 1810.

XVI.

A REGULATION *to amend the exiſting rules for the appointment of zillah and city magiſtrates; to provide for the appointment of joint, and aſſiſtant magiſtrates; and to alter the proviſions in force for the payment of a fixed reward on the conviction of public offenders.—Paſſed on the* 9*th October*, 1810.

REGULATION.

XVII.

A REGULATION *for modifying the duties impoſed by Section* XVIII, *Regulation* IX, 1810, *on alimentary ſalt, and for providing more effectually againſt the illicit importation and tranſportation of that article.—Paſſed on the 9th October,* 1810.

XVIII.

A REGULATION *for the collection of the duties on pilgrims at Allahabad.—Paſſed on the 16th October,* 1810.

XIX.

A REGULATION *for the due appropriation of the rents and produce of lands granted for the ſupport of moſques, Hindoo temples, colleges, and other purpoſes; for the maintenance and repair of bridges, ſerays, kuttras, and other public buildings; and for the cuſtody and diſpoſal of nuzzool property or eſcheats.—Paſſed on the 14th December* 1810.

XX.

A REGULATION *for ſubjecting perſons attached to the military eſtabliſhments to martial law in certain caſes, and for the better government of the retainers and dependants of the army receiving public pay on fixed eſtabliſhments, and of perſons ſeeking a livelihood, by ſupplying the troops in garriſon, cantonment, and ſtation military bazars, or attached to bazars of corps.—Paſſed on the 29th December,* 1810.

A. D. 1810. REGULATION I.

A REGULATION *for occaſionally diſpenſing with the attendance and futwa of the law officers of the courts of circuit.*—PASSED *by the Vice Preſident in Council, on the* 12*th January* 1810*; correſponding with the* 1*ſt Maug* 1216 *Bengal era; the* 22*d Pooſe* 1217 *Fuſſily; the* 2*d Maug* 1217 *Willaity; the* 7*th Pooſe* 1866 *Sumbut; and the* 5*th Zulhej* 1224 *Higeree.*

Preamble.

IT having been deemed expedient, that the executive government ſhould be inveſted with power to diſpenſe with the attendance and futwa of the law officers of the courts of circuit, whenever that meaſure may appear adviſable, the Vice Preſident in Council has enacted the following regulation, to be in force as ſoon as promulgated, throughout the whole of the provinces immediately ſubject to the Preſidency of Fort William.

By whom the attendance and futwa of the law officers of the courts of circuit may be ordered to be diſpenſed with in certain inſtances.

II. Whenever there may appear to be ſufficient cauſe for diſpenſing with the attendance and futwa of the law officers of the courts of circuit upon a criminal trial, or trials, to be held before any of thoſe courts, it ſhall be competent to the Governor General in Council, or to the executive government for the time

And what order to be iſſued in ſuch caſes.

time being, to order the ſame; and an official communication of ſuch order by the Secretary to Government in the Judicial Department, ſhall be deemed ſufficient authority for the trial, or trials, therein referred to, being held before the judge of the court of circuit, without the attendance or futwa of the law officers.

Rule of proceeding for the judge, or judges before whom the trial may be held, in ſuch inſtances.

III. In ſuch caſes no ſentence ſhall be paſſed by the judge of the court of circuit. But the proceedings on the trial, when completed, ſhall be tranſmitted, with the opinion of the judge on the evidence, and facts eſtabliſhed, for the ſentence of the court of Nizamut Adawlut.

Proviſion for queſtions of Mahomedan law in ſuch trials.

IV. In the event of any queſtion of Mahommedan law ariſing upon ſuch trials, the ſame ſhall be recorded upon the proceedings, for the information and deciſion of the court of Nizamut Adawlut. But if the queſtion refer to the competency of a witneſs, ſuch witneſs ſhall be examined, leaving the admiſſion or ultimate rejection of the teſtimony ſo given to the conſideration of the Nizamut Adawlut.

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BENGAL SECRETARIAT LIBRARY

A. D. 1810. REGULATION II.

A REGULATION *for the ſuppreſſion of robberies and other crimes and offences by armed horſemen, commonly known by the appellation of cozaucks.*—PASSED *by the Vice Preſident in Council, on the* 23*d January* 1810*; correſponding with the* 12*th Maug* 1216 *Bengal era; the* 3*d Maug* 1217 *Fuſſily; the* 13*th Maug* 1217 *Willaity; the* 3*d Maug* 1866 *Sumbut; and the* 16*th Zeehij* 1224 *Higeree.*

Preamble. WHEREAS numerous robberies and other ſerious crimes and offences have been committed by armed horſemen, commonly known by the name of cozaucks, in the territories ceded by the Nawaub Vizier, in the conquered provinces within the Dooab and on the right bank of the river Jumna; and in the territory ceded by the Peiſhwa in Bundlecund; and whereas there are grounds to apprehend that ſome of the zemindars and others, inſtead of aiding in the ſuppreſſion of offences ſo injurious to the peace of ſociety, have countenanced and ſupported the offenders with the view of participating in their plunder; the following rules have been enacted: to be in force in the ſaid territories and places from the period of their promulgation.

Perſons wiſhing to employ armed horſemen ſhall ſignify their wiſhes to the magiſtrate.

II. Any perſons, who may be deſirous of entertaining armed horſemen in their ſervice, ſhall ſignify their wiſhes to that effect to the magiſtrate of the diſtrict within whoſe juriſdiction they may reſide previouſly to entertaining them, ſpecifying the number of horſemen, whom they may reſpectively wiſh ſo to entertain, and the ſervice, on which it is propoſed that they ſhould be employed.

Magiſtrate may comply with or reject ſuch applications. In what manner perſons aggrieved by his deciſion may obtain redreſs.

III. A diſcretionary power is hereby veſted in the magiſtrates of the ſeveral diſtricts comprized in the territories and places above ſpecified, to comply either wholly or in part with all ſuch applications, or to reject them entirely, according as may appear to them to be moſt expedient, provided however that if any zemindar or other perſon ſhall conſider himſelf aggrieved by the partial or entire rejection of his application for permiſſion to entertain armed horſemen in his ſervice, ſuch perſon ſhall be at liberty to ſubmit a repreſentation to the provincial court for the diviſion of Bareilly or Benares, according to his place of reſidence, and the provincial court ſhall forward the repreſentation ſo made with its ſentiments on the ſubject to the ſecretary to government in the judicial department for the final orders of the Governor General in Council, or of the executive Government for the time being.

All ſuch horſemen to be regiſtered and to wear badges inſcribed with their maſter's name, &c.

IV. Whenever any zemindar or other perſons ſhall have obtained permiſſion to entertain armed horſemen in their ſervice, the following rules ſhall be ſtrictly obſerved.

Firſt. An accurate regiſter ſhall be kept by the magiſtrate, by whom or through whom, ſuch permiſſion may have been granted, of the number of horſemen, which each zemindar or other perſon ſhall have been allowed to entertain.

Second. Every horſeman ſo licenſed, ſhall be furniſhed by his employer with a badge, ſpecifying the name of his maſter, the diſtrict in which he reſides, and the date on which the licenſe was granted.

All unlicenced horſemen of the above deſcription to be apprehended by the police officers and their horſes and arms confiſcated.

V. From and after the period of two months from the promulgation of this Regulation, the ſeveral officers of polices throughout the territories and places above mentioned, are hereby authorized and required to apprehend all armed horſemen of the deſcription of thoſe abovementioned, who may not have been duly licenced in the manner ſtated in Section III, of this regulation, or may not be furniſhed with the preſcribed badge, and to ſend all ſuch horſemen with their horſes to the magiſtrate of the diſtrict; by whom the horſes of all ſuch perſons, together with the arms in their poſſeſſion, ſhall be adjudged confiſcated to Government.

Detachments from the corps of irregular horſe, &c. competent to apprehend ſuch unlicenſed horſemen.

VI. It ſhall in like manner be competent for any detachment or trooper of the corps of irregular horſe, maintained for the ſupport of the police in the ceded and conquered provinces, and for detachments of any other corps, while acting at the requiſition of the magiſtrates in aid of the police, to apprehend any unlicenſed horſeman of the above deſcription, and to ſend him and the horſe to the magiſtrate of the diſtrict; by whom all horſes ſo ſent to him, together with the arms of the horſemen, provided that the magiſtrate ſhall be ſatisfied on due enquiry that they are of the claſs of people denominated cozaucks, ſhall be uniformly adjudged confiſcated to Government.

None but the claſs of people called cozauks to be apprehended.

VII. It is to be clearly underſtood that the foregoing proviſions relate excluſively to the claſs of people ordinarily called cozaucks and that nothing contained in this regulation is to be conſtrued to authorize either the military or the police officers to ſeize or otherwiſe interfere with merchants or others, travelling on horſes and with arms for their own convenience and protection.

How perſons are to proceed to obtain redreſs in caſe of being aggrieved by the exerciſe of the powers hereby veſted in the magiſtrate.

VIII. It ſhall be competent to any perſon who may deem himſelf aggrieved by the exerciſe of the foregoing powers on the part of the magiſtrate to preſent a remonſtrance on the ſubject to the provincial court of circuit for the diviſion of Bareilly or Benares, according to the complainants place of reſidence, and in ſuch caſe the provincial court ſhall make the neceſſary enquiries with the view of aſcertaining whether the proviſions of this regulation have been duly applied, but the provincial courts ſhall not exerciſe any diſcretion in remitting the forfeiture of horſes and arms, in caſes in which they are liable to forfeiture under the rules now eſtabliſhed.

Confiſcation to be applicable to a breach of the rules reſpecting unlicenſed perſons who when charged with crime are to be proceeded againſt under Regulation IX, 1808, which is declared to extend to cozauks and every other deſcription of public robbers.

IX. It is of courſe to be underſtood that the preſcribed confiſcation is to be conſidered excluſively applicable to the violation of the prohibition contained in this regulation, relative to unlicenſed armed horſemen, ordinarily known by the name of cozaucks. Should any of the horſemen in queſtion ſtand charged with or ſuſpected of the actual commiſſion of any public crime or offence, the magiſtrates will proceed againſt them in the manner preſcribed by Regulation IX, 1808, (which is hereby declared to be applicable to every deſcription of public robbers as well as to thoſe ordinarily called dakoits) and by the other regulations in force for the apprehenſion and puniſhment of perſons guilty of robbery by open violence, whether the confiſcation enjoined by this regulation ſhall have taken place or otherwiſe. In like manner, the penalties eſtabliſhed by Regulation IX, 1808, for harbouring proclaimed dakoits, and for neglecting to give information to the magiſtrates of all ſuch perſons, are to be conſidered to be in full force with reſpect to proclaimed cozaucks and every other deſcription of public robbers.

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A. D. 1810. REGULATION III.

A REGULATION *for diſpenſing with the oaths of paupers, on their ſubſcribing a ſolemn declaration, in certain caſes.*—PASSED *by the Vice Preſident in Council, on the* 23*d January* 1810; *correſponding with the* 12*th Maug* 1216 *Bengal era; the* 3*d Maug* 1217 *Fuſſily; the* 13*th Maug* 1217 *Willaity; the* 3*d Maug* 1866 *Sumbut; and the* 16*th Zelhij* 1224 *Higeree;*

Preamble.

THE rules in force for the exemption of paupers from the preſcribed fees and ſecurities in the civil courts, requiring the oath of the party; and proviſions for diſpenſing with the oaths of witneſſes in the civil courts, and of proſecutors and witneſſes in the criminal courts, on their ſubſcribing a ſolemn declaration, when they may be of a rank or caſt which, according to the prejudices of the country, would render it improper to compel them to take an oath, not having been expreſsly extended to parties in the civil courts; it has been queſtioned whether the oath of ſuch parties, when applying to be admitted as paupers, can, in any caſe be diſpenſed with, whatever may be their rank or caſt. The following rule has therefore been enacted by the Vice Preſident in Council, to be in immediate force throughout the whole of the provinces immediately ſubject to the preſidency of Fort William.

General proviſion for admitting the ſolemn declaration of a party applying to be admitted as a pauper, when of a rank or caſt which would render it improper to compel him or her, to take an oath.

II. In all caſes wherein the oath of a party is required by the regulations for admiſſion as a pauper, and ſuch party may be of a rank or caſt, which, according to the prejudices of the country, would render it improper to compel him, or her, to take an oath, the judge, or other public officer authorized to admit the perſon in queſtion as a pauper, is hereby declared competent to diſpenſe with the oath of ſuch perſon, on his, or her, ſubſcribing a ſolemn declaration, according to the form preſcribed by Section VI, Regulation IV, 1793; extended to Benares by Section II, Regulation VIII, 1795; and re-enacted for the ceded provinces by Section VII, Regulation III, 1803.

Reſtriction againſt diſpenſing with the oaths of any parties, whoſe rank and condition may not be really ſuch as to make it improper to compel them to take an oath.

III. The reſtriction contained in Clauſe Seventh, of Section XXV, Regulation VIII, 1803; (re-enacted in Section VI, Regulation L, 1803:) againſt diſpenſing with the oaths of any witneſſes, whoſe rank and condition are not really ſuch as, under the exiſting prejudice, would render it improper to compel them to take an oath, ſhall be conſidered equally applicable to all parties, who may deſire to be exempted from taking an oath under this regulation. The judge, or other officer, admitting their ſolemn declaration, inſtead of an oath, ſhall alſo previouſly adviſe them, that in the event of their making a falſe declaration, they will be liable to a criminal proſecution for perjury, under Section IV, Regulation II, 1807, in like manner as if they had delivered a falſe depoſition upon oath.

Previous notice to be given of proſecution for perjury, to which a falſe declaration is liable, under Section IV, Regulation II, 1807.

Explanation that rules in force reſpecting paupers, are ap-

IV. The rules in force, reſpecting paupers, including thoſe contained in this regulation, ſhall be held applicable to deſendants and reſpondents in the civil courts, as well as to plaintiffs and appellants; and generally to all parties concerned in proſecuting or defending civil ſuits; or preſenting miſcellaneous petitions to the civil courts.

plicable to defendants and reſpondents in civil ſuits, as well as to all perſons concerned in ſuch ſuits, or preſenting petitions to the civil courts.

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A. D. 1810. REGULATION IV.

A REGULATION *for aboliſhing the office of commiſſioner in Cuttack.*—PASSED *by the Vice Preſident in Council, on the 2d February* 1810*; correſponding with the* 22*d Maug* 1216 *Bengal era; the* 13*th Maug* 1217 *Fuſſily; the* 23*d Maug* 1217 *Willaity; the* 13*th Maug* 1866 *Sumbut; and the* 26*th Zeelhej* 1224 *Higeree.*

Preamble.

WHEREAS under Section IV, Regulation VI, 1808, a commiſſion was conſtituted for the ſuperintendence of the ſettlement of the diſtrict of Cuttack, including the pergunnah of Puttaſpore, and its dependencies, and whereas the objects for which that arrangement was adopted have been accompliſhed, the following rules have been enacted, to be in force from and after the 1ſt March 1810, correſponding with the 19th Phaugun 1216 Bengal era; the 10th Phaugun 1217 Fuſſily; the 20th Phaugun 1217 Willaity; the 11th Phaugun 1866 Sumbut; and the 24th Mohurrum 1225 Higeree.

Office of commiſſioner in Cuttack, aboliſhed from the 1ſt March 1810.

II. The office of commiſſioner in Cuttack, ſhall be aboliſhed from and after the 1ſt March 1810, correſponding with the 19th Phaugun 1216 Bengal era; the 10th Phaugun 1217

Fuſſily; the 20th Phaugun 1217 Willaity; the 11th Phaugun 1866 Sumbut; and the 24th Mohurrum 1225 Higeree.

The duties, powers and authority hitherto veſted in the commiſſioner to be transferred to the Board of Revenue.

III. All the duties, powers and authority hitherto veſted in the commiſſioner in Cuttack, in that diſtrict, and in the pergunnah of Puttaſpore and its dependencies, ſhall be tranſferred from the date ſpecified in the preceding ſection, to the Board of Revenue.

Section IX, Regulation VI, 1808, reſcinded.

IV. Section IX, Regulation VI, 1808, is hereby reſcinded.

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A. D. 1810. REGULATION V.

A REGULATION *for amending the exiſting rules for the diviſion of eſtates, paying revenue to government.*—PASSED *by the Vice Preſident in Council, on the* 2*d February* 1810; *correſponding with the* 22*d Maug* 1216 *Bengal era; the* 13*th Maug* 1217 *Fuſſily; the* 23*d Maug* 1217 *Willaity*; *the* 13*th Maug* 1866 *Sumbut; and the* 26*th Zelhij* 1224 *Higeree;*

Preamble.

EXPERIENCE having ſhewn that the exiſting rules for the diviſion of landed property, paying revenue to government are in many reſpects defective; in as much as they do not ſufficiently provide againſt the artificial delays and impediments which are frequently thrown in the way of the proceſs of the diviſion, by ſome one or more of the parties concerned, who may be intereſted in ſo doing; or, (as often happens), by the officer employed in conducting the details of that proceſs; nor effectually ſecure government from the loſs reſulting from fraudulent and colluſive allotments of the public revenue on the ſhares of eſtates when divided: and there being moreover reaſon to believe that the reſtriction which has been laid on the partition of ſmall eſtates by Regulation VI, 1807, has been and is the cauſe of conſiderable injury to numbers of individual ſharers in ſuch eſtates; thereby inducing a ſacrifice of private rights, which the degree of public inconvenience ariſing from the minute diviſion of landed property does not appear to be of ſufficient magnitude to juſtify or require; with a view therefore to remedy theſe defects to expedite the diviſion of landed property paying revenue to government when duly authorized by the proviſions of Regulations I, and XXV, 1793, and their correſponding regulations for Benares, and for the ceded and conquered provinces, with due regard to the permanent ſecurity of the public revenue, whatever be the amount thereof; and to obviate the injury to which individual ſharers are liable in the caſe of a joint eſtate being brought to ſale for balances which may have ariſen from the default of their coparceners, during the interval while the proceſs of diviſion is pending; the following rules have been enacted to be immediately in force throughout the provinces ſubject, to the Preſidency of Fort William.

Sundry regulations reſcinded.

II. Clauſe Firſt, Section IV, Regulation XXV, 1793, (extended to Benares, by Regulation XXVI, 1795), and Clauſe Firſt, Section XXXII, Regulation XXVI, 1803; (extended to the conquered provinces by Clauſe Firſt, Section XVIII, Regulation VIII, 1805), are reſcinded. Regulation VI, 1807, is alſo reſcinded.

Proprietors of joint eſtates deſirous of ſeparation, to make written application to the collector, who ſhall publiſh the ſame, but ſhall not make the diviſion in caſe of written objections being made to the title of perſons applying for ſeparation.

III. *Firſt.* If one two or more of the proprietors of a joint eſtate (held in common tenancy,) ſhall be deſirous to have ſeparate poſſeſſion of his or their reſpective ſhare or ſhares; or if two or more of them ſhall be deſirous to have their ſhares ſeparated and to hold them as a joint eſtate; they are to make a written application for that purpoſe to the collector of the zillah, under their ſeals and ſignatures, and atteſted by four credible witneſſes. The collector on receipt of the application ſhall publiſh an advertiſement, notifying the ſame to all parties concerned, and ſpecifying that he ſhall proceed to make the diviſion applied for, in fifteen days from the date of the publication of the advertiſement, unleſs any perſon or perſons in the poſſeſſion of the eſtate, or any part thereof, ſhall before the expiration of that time, deny by a writing under his or their ſeals and ſignatures, and atteſted by two credible witneſſes the right of ſuch claimant or claimants to the ſhare or ſhares ſo claimed by them, in which caſe the collector is not to proceed to the diviſion until the diſputed title be eſtabliſhed or admitted; as preſcribed in Section V, Regulation XXV, 1793, and Section XXXIII, Regulation XXVI, 1803.

How the collector is to proceed when no objection is made.

Second. In the event of no denial being offered to the claim for ſeparation in the form ſtated, and within the period limited in the foregoing clauſe, the collector ſhall proceed to make the diviſion applied for in the preſcribed mode, reporting the ſame for the information of the Board of Revenue or Board of Commiſſioners reſpectively, as the caſe may happen to lie within the control of the one or the other of thoſe boards; and all authorized expences incurred in making the diviſion, are to be borne by the proprietors at large, in the proportions which the jumma of their reſpective ſhares after the diviſion has been completed, may bear to the jumma of the whole eſtate. This laſt rule however is not to be underſtood to preclude the parties concerned from entering into a private adjuſtment among themſelves of the proportions in which ſuch expences ſhall be ſeverally borne by them, and whenever the whole amount demandable on that account ſhall be tendered to the collector by one or more of ſuch parties, he ſhall receive the ſame accordingly; and on the contrary if the amount be not ſo tendered, he is to inforce the rule as above laid down; and is to levy the amount, (if it be not paid,) by the ſame proceſs againſt the ſharer or ſharers failing in the payment of their proportions, as is preſcribed for levying arrears of revenue.

Third.

The foregoing proviſions applicable to the ſeparation of portions of eſtates, conſiſting of diſtinct mehals.

Third. The whole of the proviſions of this ſection for the diviſion of eſtates held in common tenancy, are to be conſidered equally applicable to the ſeparation of portions of eſtates conſiſting of diſtinct mehals.

Courts of juſtice to direct the payment of the expenſe of ſuch diviſions, in decrees awarding the proprietary right in a portion of an eſtate.

IV. Whenever the courts of juſtice may paſs a decree awarding to any perſon the proprietary right in a portion of an eſtate paying revenue to government, (whether fractional or conſiſting of ſpecific lands) they ſhall make it a general rule to direct at the ſame time, that the party or parties who may have withheld the right ſo decreed, ſhall defray the whole of the expence which may be incurred in the ſubſequent proceſſes, of dividing, ſeparating, giving poſſeſſion of, and apportioning the public revenue upon the portion of the eſtate or lands ſo decreed. Provided however, that if any ſpecial reaſons ſhall appear for a deviation from this general rule, the courts ſhall be at liberty to direct the expence in queſtion to be defrayed by all or any of the parties to the decree, in ſuch proportions as the court paſſing the decree, may from a conſideration of the particular circumſtances of the caſe, deem equitable: recording at large on their proceedings, the grounds of every ſuch deviation. Copies of all orders which the courts may paſs under this ſection, are invariably to be tranſmitted to the collector for his guidance, along with the precept which the court may iſſue to him under the rule preſcribed in Clauſe Second, Section IV, Regulation XXV, 1793; and its correſponding clauſe in Section XXXII, Regulation XXVI, 1803.

Aumeens making the diviſion of eſtates, ſhall be paid by a percentage on the amount of the jumma.

V. *Firſt.* The practice which has heretofore obtained under Section XII, Regulation XXV, 1793, and Section XL, Regulation XXVI, 1803, of aſſigning a perſonal monthly allowance and eſtabliſhment to the aumeen appointed to make the diviſion of lands, ſhall be diſcontinued; and aumeens ſo employed ſhall in future be remunerated for their trouble and the expence of their eſtabliſhments by an allowance of a per centage on the amount of the annual jumma of the whole eſtate, a portion or portions of which (whether fractional or conſiſting of ſpecific land,) they may be deputed to divide or ſeparate. This per centage is to be calculated in the following gradations:—

On a jumma not exceeding 500 rupees, 10 per cent.

On a jumma exceeding 500 rupees, but not exceeding 1 000 rupees, 10 per cent on 500, and 8 per cent on the remainder.

On a jumma exceeding 1,000 rupees, but not exceeding 2.500 rupees, on 1,000 as above, and 5 per cent on the remainder.

On a jumma exceeding 2.500 rupees, but not exceeding 5,000 rupees, on 2,500 rupees as above, and on the remainder 3 per cent.

On a jumma exceeding 5,000 rupees, but not exceeding 10 000 rupees, on 5 000 as above, and on the remainder 2 per cent.

On a jumma exceeding 10,000 rupees, but not exceeding 25,000 rupees, on 10,000 as above, and on the remainder 1 per cent.

On a jumma exceeding 25,000 rupees, but not exceeding 50,000 rupees, on 25,000 as above, and on the remainder 8 annas per cent.

On a jumma exceeding 50,000 rupees, but not exceeding one lack, on 50,000 as above, and the remainder 4 annas per cent.

On a jumma exceeding one lack of rupees to whatever amount, on one lack as above, and on the remainder 2 annas per cent.

Second. In the above calculations fractions of rupees are to be rejected.

Rules as to the payment of ſuch per centage to the aumeens, if the partition be confirmed.

VI. *Firſt.* The collectors are to make an advance to the aumeen of one-third only of the amount of the above per centage, on delivery of the ſunnud to him; and the remaining two thirds, are to be paid in ten days from the receipt by the collector of a notification from the Board of Revenue or Board of Commiſſioners, that the partition made by the aumeen has been confirmed; otherwiſe the ſaid remaining two-thirds are to be conſidered ſubject to the following proviſions.

If the partition be not confirmed.

Second. If the partition made by the aumeen be not confirmed, the Board of Revenue and Board of Commiſſioners are reſpectively empowered to declare the claim of the aumeen, to the whole or any part of ſuch remainder to be forfeited or otherwiſe, as in their diſcretion, on a conſideration of the circumſtances of the caſe, and the conduct of the aumeen, they may deem proper.

If the partition be not made within a preſcribed time.

Third. The Board of Revenue and Board of Commiſſioners, are alſo reſpectively empowered to declare the aumeen's claim to the whole or any part of the ſaid two thirds to be forfeited or otherwiſe, in caſe the partition is not completed within a certain appointed time, and in conformity with the object of this rule, the collector is hereby required to fix the period for the completion of every butwarra or diviſion of lands, ſuperintended by him, and which ſhall be inſerted in the ſunnud delivered to the aumeen.

Further rule when partition may not be made within the preſcribed time.

Fourth. This period ſhall in the firſt inſtance never exceed three months: and if the butwarra be not completed on its expiration, immediate report ſhall be made to the one or other of the Boards, to whoſe control the caſe may be ſubject, with all ſuch explanation of the cauſe of the delay, as the collector may be able to afford; on receipt of the collector's report, the Board will either direct the aumeen to be removed from his truſt, and his claim to the remaining two-thirds of compenſation money to be forfeited; or will fix ſome further period, (not exceeding one month from the date of their order,) for the completion of the butwarra by him; and ſo on from time to time, if the nature of the duty be ſuch as to require any further extenſion of period; or will paſs ſuch other order on the caſe, not being contrary to any regulation in force, as in their judgment may ſeem proper.

Rules for diſcouraging all artificial delays from impediments thrown in the way by the parties.

Fifth. With the view moreover of diſcouraging all artificial delays in giving poſſeſſion of their proper ſhares to ſhares entitled to ſeparation in joint eſtates, held in common tenancy, it is hereby enacted, that whenever it ſhall appear to the Board of Revenue or Board of Commiſſioners, that a butwarra duly proceeded upon, is not or cannot be completed within the period originally fixed in the ſunnud to the aumeen, by reaſon of any impediments thrown in the way, by the party or parties holding poſſeſſion of the eſtate; it ſhall be competent for thoſe Boards reſpectively, upon an application being preferred to them to that effect by the ſharer who is out of poſſeſſion, (either through the collector or otherwiſe), to direct immediate poſſeſſion to be given to ſuch ſharer, of a certain quantity of the lands of the eſtate, the aſſets of which ſhall be juſt ſufficient (as far as the ſame can be aſcertained), to produce the amount of the jumma payable by ſuch ſharer when ſeparated, (and which in all caſes of fractional ſhares, is of courſe known,) with an advance of twenty per cent (viz. ten per cent for malikona, and ten per cent for charges of collection,) and no more. This poſſeſſion is not however to be conſidered as a final allotment; but the butwarra is ſtill to proceed in the regular manner, with the view to the adjuſtment of any inequalities of proportion which the aſſets of the lands thus delivered to the poſſeſſion of the ſharer, may be ultimately found to bear to the aſſets of the eſtate at large; as well as the adjuſtment of all other points affecting the value of the ſeveral ſhares when divided; ſo that on the completion of the butwarra, the final allotment of land to the ſeveral parties ſeparated, according to the jumma payable by them, may in every reſpect be conformable to the rules preſcribed in Sections VII and VIII, Regulation XXV, 1793, and the correſponding ſections of Regulation XXVI, 1803.

VII.

Rule as to the expenſes of private butwarra.

VII. All the rules preſcribed in this regulation, which relate to the expences incurred in making a butwarra, ſhall equally apply to the remuneration of the aumeen who may be appointed to ſuperintend butwarras made by the parties themſelves or their arbitrators, under the proviſions contained in Section XXII, Regulation XXV, 1793, and Section LII, Regulation XXVI, 1803; but with this difference, that the aumeen employed in ſuperintending ſuch private butwarras, ſhall only be entitled to receive one half of the amount of remuneration which the aumeens employed in making public butwarras are entitled to under Section V, of this regulation.

A regiſter of all confirmed butwarras to be kept.

Collector to report in caſes requiring a ſale of the lands for balances ariſing from an improper allotment of the jumma within three years.

VIII. After the date of this regulation, a regiſter ſhall be kept in the Engliſh language of all confirmed butwarras. This regiſter ſhall merely ſhew the name, the recorded proprietor or proprietors, and the jumma, of the eſtate, as it ſtood when the butwarra was commenced; with the names, the recorded proprietors, and the jumma of the ſeveral portions thereof made into diſtinct eſtates by the butwarra when confirmed; together with the date of the confirmation, and whenever any ſuch diſtinct eſtate, (created by butwarra) ſhall fall in balance, ſo as to require a ſale of the land for the diſcharge of the arrear, at any period within three years of the date of the confirmation of ſuch butwarra, it ſhall be the duty of the collector, by every means in his power, to trace the cauſe of ſuch balance towards aſcertaining whether it has ariſen from any fraudulent or erroneous allotment of the aſſeſſment, at the time of the diviſion: and whatever may appear to be the cauſe, to make a ſpecial and full report upon the caſe to the Board, to whoſe authority he may be ſubject, and who will determine upon the receipt of ſuch report, whether the ſanction of the Governor General in Council, ſhall be obtained, for directing a new allotment of the jumma upon the ſeveral portions into which the original eſtate was divided, or otherwiſe.

IX. Whenever the butwarra of a joint eſtate held in common tenancy is commenced upon, whether on the direct application of the parties to the collector, or under a precept from a court of juſtice, the portion of the jumma payable by each individual ſharer (as before obſerved) is of courſe known. In all ſuch caſes therefore, if the eſtate ſhould fall in balance at any time before the butwarra be completed and confirmed, it ſhall be in the option of any one or more of the ſharers, (whether in actual poſſeſſion of their ſhares or otherwiſe,) to tender to the collector their proportions of the balance due, which the collector ſhall receive, and paſs to the credit of their ſhares accordingly: and in the event of a ſale of any part of the eſtate (yet undivided) becoming ultimately neceſſary for the liquidation of any remaining balance, the portion or portions of the defaulting ſharer or ſharers only ſhall be ſold, and not thoſe of the ſharers who ſhall have paid their proportions of the balance; and in all ſuch caſes the butwarra ſhall go on and be completed for the benefit of the purchaſer at the public ſale; and who on making the purchaſe, will be entitled to ſeparate poſſeſſion of the portion or portions of the eſtate, which would have been allotted under the butwarra, to the defaulting proprietors: (and which in all ſuch inſtances are to be ſold entire;) and will in every reſpect ſucceed to all their rights.

Rules reſpecting balances accruing during the time a butwarra is making.

X. *Firſt.* To provide alſo as far as practicable againſt any injurious conſequences to individuals, from delays and difficulties, which are ſtill obſerved to attend the allotment of the public revenue upon ſpecific mehals, forming part of an eſtate held under a general aſſeſſment, when ordered to be ſeparated therefrom; notwithſtanding the explanatory proviſions contained in Sections VIII and XII, Regulation I, 1801, and Section LX, Regulation XXVI, 1803, the following rules are to be obſerved in regard to ſuch mehals.

Rules for preventing delays in allotting the jumma of ſpecific mehals forming part of an eſtate.

Second.

Rules as to balances accruing before the allotment is completed.

Second. Whenever the proprietor of a ſpecific mehal in a joint eſtate ſhall be entitled to ſeparation under the regulations, and the ſeparation and allotment of the public revenue upon ſuch diſtinct mehal ſhall have been commenced upon, if the eſtate of which it forms a component part ſhould fall in balance at any time previous to the completion and confirmation of ſuch allotment, ſo as to require a ſale of the whole or any portion of the eſtate, it ſhall be in the option of the proprietor of the mehal in queſtion, (and to whom immediate poſſeſſion thereof is to be given, if it be not already in his poſſeſſion,) to tender to the collector his ſhare of the balance due, calculated on the proportion which the produce of ſuch ſpecific mehal with a deduction of twenty per cent, (viz. ten per cent for malikana, and ten per cent for charges of collection) may bear to the jumma of the whole eſtate. Upon ſuch tender being made, and the collector being ſatisfied from the enquiries made by him, and the evidence and documents before him, that the produce of the mehal has not been underrated, he ſhall receive the amount tendered, and paſs it to the credit of the mehal accordingly, and in the event of a ſale of any part of the eſtate becoming ultimately neceſſary for the liquidation of any remaining balance, ſuch ſale ſhall be made with the expreſſed exception of the ſpecific mehal in queſtion; and the ſeparation and final allotment of the jumma thereupon, ſhall go on, and be completed in the preſcribed manner, for the benefit of all the parties concerned therein. Provided moreover, that if the payment made by the proprietor of the ſpecific mehal under this clauſe, ſhall on a final adjuſtment of the jumma of the parties, be found to exceed the true proportion of the balance demandable from him; ſuch proprietor ſhall be entitled to repayment of the exceſs from the collector; who ſhall at the ſame time proceed to recover the amount thereof from the defaulting proprietor or proprietors, (upon whom a leſs amount than their juſt proportions will have been levied) by the ſame proceſs as he would recover any other arrear of revenue; and vice verſâ. That is to ſay, if it ſhall appear that the proprietor of the ſpecific mehal has paid leſs than he ought to have paid, the deficiency ſhall be recovered from him; and any exceſs which may have been levied from the defaulting proprietor or proprietors ſhall be made good to them.

The exiſting rules regarding the diviſion and ſale of lands with the above modifications to be ſtill in force.

XI. With the alterations and modifications contained in this regulation, and which are to be applied as far as practicable to all butwarras commenced prior to this date, but not yet finally adjuſted; the rules preſcribed in Regulations I, and XXV, 1793; Regulation I, 1801; Regulation XXVI, 1803; and all other exiſting rules and regulations regarding the diviſion of landed property paying revenue to government, and the public ſales of land for arrears of revenue, are to be held in full force.

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A. D. 1810. REGULATION VI.

A REGULATION *for defining the penalties to which zemindars and others ſhall be ſubject for neglecting to give due information of robberies, and for harbouring robbers.*—PASSED *by the Vice Preſident in Council, on the 9th February 1810; correſponding with the 29th Maug 1216 Bengal era; the 20th Maug 1217 Fuſſily; the 30th Maug 1217 Willaity; the 6th Maug 1866 Sumbut; and the 4th Mohurrum 1225 Higeree.*

Preamble.

WHEREAS numerous robberies, and other ſerious crimes and offences have been committed by the different claſſes of perſons ordinarily known by the appellation of dacoits, cozauks, thugs, buddecks, and other deſcriptions of public robbers: And whereas there are grounds to apprehend, that ſome of the zemindars and others, inſtead of aiding in the ſuppreſſion of offences ſo injurious to the peace of ſociety, have countenanced and ſupported the offenders with the view of ſecuring exemption for themſelves from their depredations, or even of participating in their plunder; the following rules have been enacted, to be in force from the period of their promulgation throughout the territories immediately dependent on the Preſidency of Fort William.

II.

All landholders, agents and native revenue officers accountable for communicating intelligence obtained reſpecting the reſort of robbers.

II. All zemindars, talookdars and other proprietors of lands whether malgoozary or lakheraj; all ſudder farmers and underrenters of land of every deſcription; all dependant talookdars; all naibs and other local agents; all native officers employed in the collection of the revenues and rents of lands on the part of government, or of the court of wards, are hereby declared eſpecially accountable for the early and punctual communication to the magiſtrates and police darogahs, either publicly or ſecretly, as the informants may judge proper, of all intelligence which they may obtain reſpecting the reſort to any place within the limits of the eſtate or farm, held or managed by them, of any perſon or perſons of the different claſſes of people ordinarily known by the appellation of dacoits, cozauks, thugs or buddecks, or of any other deſcription of robbers.

Mode of proceeding and penalties for neglect of giving ſuch information.

III. If a magiſtrate ſhall have grounds to believe, that any perſon of the deſcription of thoſe ſpecified in the firſt part of the preceding ſection, ſhall have neglected to give due information to the magiſtrate or the police darogah, of the reſort of any dacoit, cozauk, thug, buddeck, or other robber to any place within the limits of the eſtate or farm, held or managed by ſuch perſon, the magiſtrate ſhall call upon him to anſwer to the charge, and if it ſhall appear upon a full and impartial enquiry that the perſon accuſed has been actually guilty of the neglect aſcribed to him; the magiſtrate ſhall ſentence the offender to pay ſuch a fine to government, and to ſuffer impriſonment for ſuch a period of time as he may deem proportioned to the offence, not exceeding however, the limitation preſcribed by Section XIX, Regulation IX, 1807, viz. impriſonment for ſix months, and a fine of rupees 200 commutable, if not paid, to impriſonment for a further period not exceeding ſix months longer.

Penalties on zemindars &c. for harbouring robbers or receiving preſents from them.

IV. If a magiſtrate ſhall have grounds to ſuſpect that any zemindar or other perſon of the deſcription of thoſe mentioned in the preceding ſections, has afforded any actual aſſiſtance in harbouring a dacoit, cozauk, thug, buddeck, or other robber, ſubſequently to the promulgation of this regulation, that is, if ſuch perſon ſhall be ſuſpected of having afforded to the ſaid offender lodging, money, grain, or other ſupplies, or that he has committed any other overt act, tending to aid the offender in his depredations upon the community, or to evade the purſuits of juſtice; or that he has received any preſent or nuzzer, either in money or goods from the ſaid offender, the magiſtrate ſhall call upon the perſon ſuſpected of having ſo offended for his reply; and if it ſhall appear upon a full and impartial enquiry, that he has been actually guilty of the ſerious offence aſcribed to him, the magiſtrate, in addition to the puniſhment mentioned in the preceding ſection, ſhall adjudge the eſtate or farm held by him (ſuppoſing him to be a ſudder zemindar, talookdar, or farmer) forfeited to government. Provided, however, that previouſly to carrying the judgment of forfeiture into execution, the magiſtrate ſhall ſubmit his proceedings on the ſubject, to the court of the Nizamut Adawlut, who will confirm or annul the judgment ſo paſſed, according as they may be of opinion, that the charge has been duly eſtabliſhed or otherwiſe. Provided, moreover, that in the event of their confirming the judgment, the Nizamut Adawlut ſhall report the caſe to the Governor General in Council, at the ſame time ſtating their opinion, whether the forfeiture ſhould be enforced or remitted, or commuted to a fine.

Penalties in ſuch caſes againſt perſons not being proprietors of eſtates or ſudder farmers.

V. Should the perſon convicted of the offence mentioned in the preceding ſection, not be a proprietor or ſudder farmer of land, the magiſtrate ſhall ſentence him, in addition to the puniſhment noticed in Section III of this regulation, to ſuch further fine and impriſonment as he may deem proportioned to his offence, but previouſly to carrying ſuch further judgment into effect, the magiſtrate ſhall ſubmit his proceedings to the Nizamut Adawlut, who will finally confirm, amend, or reſcind the deciſion, as may appear to them to be juſt and proper. Should the perſon ſo offending be alſo an officer of Government, the Nizamut Adawlut ſhall at the ſame time order him to be diſmiſſed from his office, and ſhall further report to the Governor General in Council whether it appear expedient that the offender ſhould be declared incapable of again ſerving Government in any public capacity.

Certain parts of Regulations XII, and XIV, 1807, reſcinded.

VI. Such parts of Regulations XII, and XIV, 1807, as relate to the appointment of aumeens of police, are hereby reſcinded.

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A. D. 1810. REGULATION VII.

A REGULATION *for collecting a toll on boats paſſing along the canal leading from the Boitakhanna road to the ſalt water lake*—PASSED *by the Vice Preſident in Council, on the 23d February* 1810 *; correſponding with the* 13*th Phaugoon* 1216 *Bengal era ; the* 4*th Phaugoon* 1217 *Fuſſily ; the* 14*th Phaugoon* 1217 *Willaity; the* 4*th Phaugoon* 1866 *Sumbut; and the* 18*th Mohurrum* 1225 *Higeree.*

Preamble.

WHEREAS the Vice Preſident in Council, with the view of affording facilities to the internal commerce of the country in the vicinity of Calcutta, has cauſed a canal to be dug from the Boitakhanna road to the ſalt water lake: and whereas it has been deemed juſt and proper, that moderate tolls ſhould be eſtabliſhed on boats paſſing along the canal, to defray the expenſe incurred in excavating it, and to provide for the future repairs of it; the following rules have been eſtabliſhed, to be in force from and after the 1ſt May 1810, correſponding with the 26th Byſaak 1217 Bengal era; the 12th Byſaak 1217 Fuſſily; the 21ſt Byſaak 1217 Willaity; the 13th Byſaak 1867 Sumbut; and the 26th Rubbee ul Awul 1225 Higeree.

Collector of the 24 pergunnahs

II. The collector of the 24 pergunnahs, aſſiſted by native officers entruſted with the collection of the tolls on boats entering the canal.

officers to be appointed by him, ſhall be entruſted with the collection of the tolls which are to be levied from all boats entering the canal, agreeably to the following rates:—

Rates of tolls.

Budgerows, Pinnaces, Bauleahs, Paunſways,	2 annas per oar.
Boats laden with bricks, earthen ware, ſand, earth, or ſoorkey, - - -	2 annas per 100 maunds.
Baggage boats, and boats laden with ſtraw, firewood, or gramſticks, - -	8 annas per 100 maunds.
Boats laden with grain, or vegetables of any kind, -	12 annas per 100 maunds.

Boats laden with articles not ſpecified in the liſt contained in the preceding ſection, to be ſubject to a toll of 1 rupee per 100 maunds burthen.

III. *All boats laden with any* article not ſpecified in the above liſt, ſhall be ſubject to a toll of one rupee per 100 maunds burthen, whether the articles laden on them be imported, or be exported, on returning boats, or on boats entering the canal for the purpoſe.

Board of Revenue inveſted with a general control over the collector of the 24 pergunnahs in the diſcharge of duties entruſted to him by this regulation.

IV. The Board of Revenue are hereby inveſted with a general control over the collector of the 24 pergunnahs, in the diſcharge of the duties entruſted to him by this regulation.

Boats on entering the canal to proceed towards Calcutta on the ſouthſide and to return on the northſide of the canal.

V. Boats on entering the canal, ſhall proceed towards Calcutta on the ſouthſide, and ſhall return by the northſide of the canal.

Rules preſcribed by Clauſes Third, Fourth, and Fifth, of Section VII, Regulation XVIII, 1806; alſo by Sections VIII, IX, and X, of the ſame regulation, to be conſidered applicable to the canal in queſtion.

VI. The rules preſcribed by Clauſes Third, Fourth, and Fifth, of Section VII, Regulation XVIII, 1806; and alſo by Sections VIII, IX, and X, of the ſame regulation, ſhall be conſidered applicable to the canal in queſtion.

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A.D. 1810. REGULATION VIII.

A REGULATION *for the appointment of ſuperintendants of police in the diviſions of Patna, Benares, and Bareilly*—Passed *by the Vice Preſident in Council, on the* 16*th March* 1810; *correſponding with the* 4*th Choite* 1216 *Bengal era; the* 25*th Phaugoon* 1217 *Fuſſily; the* 5*th Choite* 1217 *Willaity; the* 11*th Phaugoon* 1866 *Sumbut; and the* 9*th Suffer* 1225 *Higeree.*

Preamble.

WHEREAS under Regulation X, 1808, a ſuperintendant of police has been appointed for the diviſions of Calcutta, Dacca, and Moorſhedabad; and whereas the benefits experienced from that appointment in the apprehenſion of public offenders, and in the general improvement of the police in thoſe diviſions, render it adviſable, that ſimilar arrangements ſhould be adopted in the diviſions of Patna, Benares, and Bareilly; the following rules have been adopted, to be in force from the periods of time hereafter ſpecified.

The juriſdiction of the preſent ſuperintendant of police extended to the diviſion of Patna.

II. The diviſion of Patna is hereby annexed to the juriſdiction of the ſuperintendant of police for the diviſions of Calcutta, Dacca, and Moorſhedabad, who is accordingly authorized to exerciſe in the diviſion of Patna, from and after the promulgation of this regulation, all the powers, duties, and authority veſted in him by Regulation X, 1808, with regard to the three other diviſions.

Appointment of a ſeparate ſuperintendant of police for the diviſions of Benares and Bareilly.

Inveſting him with all the powers, duties, and authority contained in Regulation X, 1808.

Proviſo.

The period when the rule is to be in force.

III. A ſeparate ſuperintendant of police ſhall be appointed for the diviſions of Benares and Bareilly, who ſhall poſſeſs concurrent juriſdiction with the ſeveral zillah magiſtrates in thoſe diviſions, and with the magiſtrate of the city of Benares; and who ſhall be competent to exerciſe all the powers, duties and authority in thoſe diviſions which are veſted by Sections V, VI, VII, VIII, and IX, Regulation X, 1808, and by Section II, of the preſent regulation, in the ſuperintendant of police in the diviſions of Calcutta, Dacca, Moorſhedabad and Patna; provided always that the ſuperintendant of police in the diviſions of Benares and Bareilly, ſhall be guided by the regulations which have been or may be enacted for the internal adminiſtration of the ſaid diviſions reſpectively. The foregoing rule ſhall be conſidered to be in force from and after the period that the ſuperintendant may be actually appointed by the Governor General in Council or Vice Preſident in Council.

The object of the appointment of two ſuperintendants of police.

They are to exerciſe the powers of their offices throughout the whole extent of their juriſdictions.

IV. The primary object of the appointment of the two ſuperintendants of police being the apprehenſion of dacoits, cozauks, thugs, budecks, and other deſcriptions of public offenders, guilty of the commiſſion of robberies and other crimes by open violence, the ſaid ſuperintendants ſhall from time to time proceed into the different zillahs, or to any of the cities comprized within the limits of their reſpective juriſdictions, according as they may themſelves deem neceſſary and proper, or as the Governor General in Council, or Vice Preſident in Council may direct: Provided, however, that nothing contained in this ſection, ſhall be conſtrued to prevent the ſuperintendants from exerciſing the full powers of their offices throughout the whole extent of their juriſdictions, in whatever part of it they may at any time be reſident.

The nature of their duty.

V. It ſhall be the duty of the ſuperintendants to keep themſelves conſtantly informed, by communication with the local magiſtrates, with the darogahs of police, and with the zemindars and others, and by every other practicable means of enquiry of the actual ſtate of the police, in the ſeveral zillahs and cities, comprized within their reſpective juriſdictions; and ſubmit to Government, any information reſpecting the prevalence of public offences in any of thoſe zillahs or cities, or on other points appearing to the ſuperintendants to require the interpoſition of Government.

The ſeveral magiſtrates enjoined to afford every aid and co-operation to the ſuperintendants of police and to their reſpective officers in the diſcharge of the duties veſted in them.

The different provincial courts required to give every ſupport to the ſuperintendants and to their officers.

VI. The magiſtrates of the ſeveral zillahs and cities, are hereby enjoined to afford every aid and co-operation to the ſuperintendants of police and to their reſpective officers, in the diſcharge of the duties veſted in them; and the different provincial courts, are in like manner required to give every ſupport to the ſuperintendants and their officers, which may be conſiſtent with the principles of juſtice and the general regulations.

A. D. 1810. REGULATION IX.

A REGULATION *for reſcinding the whole of the regulations at preſent in force for the collection of the government cuſtoms, in the provinces of Bengal, Behar, Oriſſa, and Benares, and in the ceded and conquered provinces; and for re-eſtabliſhing thoſe cuſtoms, with amended rules for the collection of them.*—PASSED *by the Vice Preſident in Council, on the* 10*th of April* 1810; *correſponding with the* 29*th Choite* 1216 *Bengal era; the* 20*th Choite* 1217 *Fuſſily; the* 30*th Choite* 1217 *Willaity; the* 6*th Choite* 1867 *Sumbut; and the* 5*th Rubee-ul-Awul* 1225 *Higeree.*

Preamble.

THE rules by which the collection of Government cuſtoms have been hitherto conducted, having appeared eſſentially defective; many of the regulations being deficient in ſimplicity and clearneſs, and the whole forming too complex a ſyſtem of multiplied taxes, in many inſtances unequally diſtributed on the inhabitants of the different provinces, as well as haraſſing in the mode in which they are collected; the Vice Preſident in Council, deſirous of impartially equalizing the public burdens without injuring the reſources of government, and of ſimplifying the collection of the cuſtoms by reducing to a ſingle tax the ſeveral duties now levied, ſo that merchandize having once paid duty, may be freely tranſported from place to place without the haraſſing interruptions to which the trade has been expoſed under the exiſting ſyſtem of ſucceſſive collections, has enacted the following rules, to be in force throughout the territories immediately dependant on the Preſidency of Fort William, from the period of the promulgation of this regulation.

Former regulations for the collection of government cuſtoms reſcinded.

II. *Firſt.* Regulations III, XXXIX, and LVII, 1795; Regulations I, and IX, 1797; Regulation XI, 1800; Regulation XI, 1801; Regulations I, V, and VII, 1802; Regulation XI, 1804, and Regulation XIX, 1806, for the collection of Government cuſtoms, in the provinces of Bengal, Behar, Oriſſa, and Benares, and in the ceded and conquered provinces, are hereby reſcinded.

Second. Regulations XLII, 1793, and XXXVIII, 1803, are alſo hereby reſcinded.

All duties not authorized by this or any future regulation, aboliſhed.

III. All duties levied under any denomination whatever, which conſtitute a tax on the tranſit, export, or import, of goods of any deſcription, through, from, or into, the provinces ſubject to the Preſidency of Fort William, or the cities or towns therein, (with the exception of the city of Delhy and the circumjacent territory, to which the regulations of the Britiſh Government have not been extended) not authorized by this or any other regulation which may be paſſed and publiſhed in the manner preſcribed by Regulation XLI, 1793, are hereby declared to be aboliſhed.

All cuſtoms houſes not reeſtabliſhed by this regulation, withdrawn.

IV. All cuſtom houſes heretofore eſtabliſhed (with the exception of thoſe which are continued by this regulation) ſhall be withdrawn from the period of the promulgation of this regulation.

Cuſtom houſes where to be fixed in future.

V. The cuſtom houſes for the collection of the Government cuſtoms under this regulation, ſhall be fixed in the cities of Agra, Furruckabad, Allahabad, Benares, Patna, Moorſhedabad, Dacca and Calcutta; and in the towns of Merut, Cawnpore, Mirzapore, Chittagong, Hooghly and Balaſore.

Government cuſtoms to be levied at the principal ſtations by collectors.

VI. *Firſt.* The Government cuſtoms to be levied at the ſeveral cuſtom houſes eſtabliſhed by Section V, with the exception of the cities of Furruckabad and Allahabad; and the towns of Merut and Mirzapore, ſhall be levied by officers, to be ſeverally denominated collectors of the Government cuſtoms at Agra, Cawnpore, Benares, Patna, Moorſhedabad, Hooghly, Dacca, Calcutta Chittagong and Balaſore.

And at ſubordinate ſtations by deputy collectors.

Second. The cuſtom houſe at Merut ſhall be ſubject to the authority of the collector of the Government cuſtoms at Agra, with a covenanted civil ſervant as his deputy, to be ſtationed at Merut. The cuſtom houſes at Furruckabad and Allahabad ſhall be ſubject to the authority of the collector of the Government cuſtoms at Cawnpore, with a covenanted civil ſervant as his deputy, to be ſtationed at Furruckabad, and a convenanted civil ſervant as his deputy, at Allahabad; and the cuſtom houſe at Mirzapore, ſhall be ſubject to the authority of the collector of the government cuſtoms at Benares, with a covenanted civil ſervant as his deputy, to be ſtationed at Mirzapore.

Collectors and their deputies to be ſubject to the authority of the Board of Commiſſioners and Board of Revenue reſpectively.

VII. The collectors of the government cuſtoms eſtabliſhed by this regulation and their reſpective deputies, ſhall be ſubject in the province of Benares and within the ceded and conquered provinces (with the exception of Cuttack) to the authority of the Board of Commiſſioners; and within the provinces of Bengal, Behar, and Oriſſa, including Cuttack, to the authority of the Board of Revenue at the Preſidency.

Seal of office.

VIII. The collectors of the government cuſtoms ſhall uſe a ſquare ſeal, two inches in diameter; bearing an inſcription, to the following effect, in the Perſian character and language.

"The ſeal of the collector of the cuſtoms at——————————," The ſeal of each cuſtom houſe ſhall remain in the cuſtody of the collector of the Government cuſtoms; and in that of the deputy collector, at the ſtations which may be under the ſuperintendance of an officer of that deſcription.

Oath of Office to be taken by the collectors and their deputies.

IX. Previouſly to entering upon the execution of the duties of their reſpective offices, the collectors of the Government cuſtoms, and their reſpective deputies, ſhall ſeverally take and ſubſcribe the following oath, before the Governor General in Council, or any perſon whom he may empower to adminiſter the ſame:—"I, A. B. do ſolemnly ſwear, that I will faithfully diſcharge the duty of the collector (or deputy collector) of the Government cuſtoms at ————————; that I will not, directly or indirectly, by myſelf or others, be concerned in, or allow of any collections being made, but ſuch as are, or may be hereafter authorized by, and brought to the credit of Government; that I will not be concerned, directly or indirectly, in the purchaſe of any goods or commodities in the Britiſh dominions, ſubject to the immediate authority of the Preſidency of Fort William in Bengal, for the purpoſe of remitting money to Europe, or in any commercial tranſaction; that I will not take or receive, or knowingly allow any perſon to take or receive, any preſent, gratuity, fee, or advantage whatever, on account of any matter relating to the duty of my office, excepting ſuch as now is or may be hereafter authorized by the Governor General in Council.

"So help me God."

Eſtabliſhed office hours.

X. The ſeveral cuſtom houſes ſhall be open, for the tranſaction of buſineſs, every day, (Sundays and holidays, agreeably to a liſt to be furniſhed to the collectors by the Board of Revenue and Board of Commiſſioners reſpectively, excepted) from ten o'clock in the morning, until four o'clock in the afternoon.

cuſtom houſe chokies.

XI. *Firſt.* The collectors of the government cuſtoms ſhall

Not to extend beyond a certain diſtance from the cuſtom houſe. Except in ſpecial caſes.

eſtabliſh cuſtom houſe chokies at ſuch places as may be deemed neceſſary on the principal routes or ghauts leading to or from their reſpective cuſtom houſes; provided, however, that no chokies ſhall be eſtabliſhed at any greater diſtance than two coſs or four miles from any ſuch cuſtom houſes, with exception only to ſuch as may be judged neceſſary at greater diſtances from the cuſtom houſes at Agra and Merut, for the ſecurity of the public revenue derived from the article of ſalt in the ceded and conquered provinces, and for preventing the clandeſtine conveyance of ſhawls through thoſe provinces to any foreign territory, or which may be requiſite under the collector of cuſtoms at Hooghly, with the view to embrace the trade of the foreign ſettlements, or under the collector of cuſtoms at Dacca for the purpoſe of comprehending the navigation of the river Megna, or under the collector of cuſtoms at Balaſore at the dependant port of Churamun, or under any other collector of cuſtoms for any ſpecial reaſon or purpoſe which ſhall be reported to the Board of Revenue or Board of Commiſſioners, and without whoſe reſpective ſanction, previouſly obtained, no chokies whatever ſhall on any account be eſtabliſhed, at a greater diſtance than two coſs or four miles from the cuſtom houſe.

Which are to be reported to the Board for their previous ſanction.

Duties not to be levied at the chokies. Duty of the officers at the chokies defined.

Second. No duty or collections whatever ſhall be levied at any chokey: The authority of the officers of the chokies ſhall be confined to the detention of goods liable to duty paſſing within the limits of their chokey, unaccompanied by proper rowannahs, or of goods which may not correſpond with the rowannahs, until ſuch time as the orders of the collector of cuſtoms can be obtained reſpecting them, and for which purpoſe immediate notice is to be given to the collector. All duties ſhall be paid at the ſtations of the collectors of the cuſtoms or their deputies, by whom alone rowannahs are to be granted.

All duties to be paid at the cuſtom houſes, and rowannahs to be granted only by the collectors, or their deputies.

XII. *Firſt.* Duties under the denomination of Government cuſtoms, ſhall be levied at the following rates, on the goods ſpecified in this ſection.

Enumeration of the goods on which the government cuſtoms are to be levied, and the rates of duty.

ENUMERATION

ENUMERATION of GOODS.	*RATES of DUTY.*
COTTON, WOOL,	Twelve annas per maund of ninety-ſix Calcutta ſicca weight.
COTTON PIECE GOODS,	On importation by ſea; ſeven and a half per cent. On importation from the Vizier's and the Napaul territories; two and a half per cent. On importation from other foreign territories; ſeven and a half per cent. On the tranſit of piece goods the manufacture of the Company's territories; ſeven and a half per cent.

A drawback ſhall be allowed of five per cent on exportation by ſea, on ſuch piece goods as ſhall have paid the duty of ſeven and a half per cent.

ENUMERATION of GOODS.	*RATES of DUTY.*
COTTON YARN,	On importation, exportation, or tranſit; ſeven and a half per cent ad valorem.
RAW SILK FILATURE,	Do. ſeven and a half per cent, on a valuation of ſeven rupees per ſeer of eighty Calcutta ſicca weight.
BENGAL WOUND SILK,	Do. ſeven and a half per cent, on a valuation of ſix rupees per ſeer of eighty Calcutta ſicca weight.
TUSHAH,	Do. ſeven and a half per cent on a valuation of five annas per ſeer of eighty Calcutta ſicca weight.
CHASSUM,	Do. ſeven and a half per cent, on a valuation of three annas per ſeer of eighty Calcutta ſicca weight.

A drawback ſhall be allowed of five per cent on the exportation to the port of London, of all ſilk which ſhall have paid the above duty.

Silk Piece Goods; and Goods made partly of Silk and partly of Cotton,	On importation by ſea; ſeven and a half per cent. Ditto from the Vizier's and the Napaul territories; two and a half per cent. Ditto from other foreign territories, and on the tranſit of goods the manufacture of the Company's territories; ſeven and a half per cent ad valorem.

A drawback ſhall be allowed of five per cent on exportation by ſea, to London, of ſuch ſilk piece goods as ſhall have paid the duty of ſeven and a half per cent.

Embroidered Goods and Brocades,	On importation by ſea; ſeven and a half per cent. On importation from the Vizier's and the Napaul territories; two and a half per cent. Ditto from foreign territories, and on the tranſit of goods, the manufacture of the Company's territories; ſeven and a half per cent.
Gold and Silver Tiſſues, Lace and Thread,	On importation, exportation, or tranſit; five per cent ad valorem.
Shawls,	On importation; ten per cent upon an advance of fifty per cent on the invoice valuation; to be levied at the firſt cuſtom houſe; after which the goods ſhall be ſubject to no further duty in the Company's provinces.
Woollens (Europe,)	Five per cent on importation by ſea only.

Woollens (Country), viz. Looys, and Blankets,	If imported from Napaul; two and a half per cent. The manufacture of the Company's territories, five per cent ad valorem.
Carpets, and Setrenjees,	Seven and half per cent.
All Canvas, (except ſuch as is made of ſunn or hemp, or other material of country growth or manufacture), Gunnies,	Five per cent on importation by ſea;
Guny bags, Putties, and Chutta,	Five per cent ad valorem.
Thread, Tape, and Fringes,	Liable to the ſame duties with cotton peice goods.
Indigo,	On importation, or tranſit; five per cent on a fixed valuation of one hundred rupees per factory maund. An additional export duty of two and a half per cent, on the produce of the Vizier's dominions on exportation by ſea.
Sugar, Jagry, Goor and Syrup,	Five per cent ad valorem.

A drawback ſhall be allowed of two and a half per cent, on exportation to Europe or America.

Beetlenut,	Of the growth of Bengal, or imported by land or ſea; ſeven and a half per cent on a fixed valuation of five rupees per factory maund.

Kuth or Kutch,	Five per cent, on a fixed valuation of eight rupees per factory maund.
Oil and Oilseeds, Mustard and Sesamum, and all other vegetable or animal Oils,	Seven and a half per cent ad valorem;
Cocoanuts, either with or without the bark,	Five per cent on the valuation of twenty rupees per thouſand.
Wax, and Wax Candles,	Ten per cent at a fixed valuation of forty five rupees for wax; and ſeventy rupees for candles per factory maund.
Long Pepper and its Root (called Piplamoor,)	Seven and a half per cent on a fixed valuation of twelve rupees per factory maund.

A drawback ſhall be allowed of two and a half per cent on exportaion by ſea.

Dry Ginger,	Seven and a half per cent on a fixed valuation of four rupees per factory maund.

A drawback ſhall be allowed of two and a half per cent on exportation by ſea.

Aromatick Seeds, viz. Anise, (or Moury, or Sonf), Calizeerah, (or Nigella), Cardamums, Coriander, (or Dhunnia), Cummin, (or Jeerah,) Jowaen (or Ajwain),	Seven and a half per cent ad valorem.

A drawback ſhall be allowed of two and a half per cent on exportation by ſea.

Wood uſed in dying, viz. Buckum or Sappan Wood and Sandal Ahmer or Red Sandal Wood,	Seven and a half per cent the produce of the country or imported by ſea.

A drawback ſhall be allowed of two and a half per cent on exportation by ſea.

Fragrant Wood, viz. white or yellow Sandal Wood, Ugger or Aloe Wood, and Tuggur,	Seven and a half per cent the produce of the country or imported by ſea.

A drawback ſhall be allowed of two and a half per cent on exportation by ſea.

Wood uſed in Cabinet Work, viz. Mahogany and all other ſorts imported by ſea. Chucrassy, Toon, and Sitsol,	Seven and a half per cent ad valorem.
Timber, viz. Saul, Sesoo, Jarrel, (whether red or white), and Soondry,	Ten per cent ad valorem,
Chunam,	Ten per cent on a valuation of forty rupees per maund of eighty Calcutta ſicca weight, to be levied at Calcutta and Dacca only.

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CORDAGE and other MARINE STORES, with the exception of SUNN, HEMP, or other Material for Cordage the produce of the Country,	Five per cent on importation by ſea.
COIR,	The produce of the Maldives or Ceylon, &c. five per cent on a fixed valuation of nine rupees per factory maund.
RESINS, viz. DAMMER, whether foreign, or the produce of the country, RESIN and TURPENTINE, imported by ſea,	Five per cent.
PIGMENTS, viz. yellow OCHRE, or GOOPY MUTTEE, VERMILLION, RANGA MUTTEE or INDIAN red, MINIUM, PRUSSIAN BLUE, PEOREE and VERDIGREASE,	Ten per cent ad valorem.
QUICK SILVER,	Ten per cent on importation; on a fixed valuation of four rupees per ſeer.
TIN, and TUTINAGUE,	Ten per cent on importation; on a fixed valuation of twenty rupees per maund.

COPPER and **BRASS**,	Ten per cent on a fixed valuation of twenty rupees per maund on importation by ſea, whether wrought or unwrought; the ſame on inland importation, but to be levied on the unwrought metal only. If imported from Napaul; two and a half per cent, whether wrought or unwrought.
LEAD, (**PIGS**) **MILLED** and **SHEET LEAD** and **SMALL SHOT**,	Ten per cent ad valorem on importation.
IRON and **STEEL**, and Manufactured **IRON** and **STEEL**,	Ten per cent on the market value on importation by ſea; and on importation by land at the neareſt cuſtom houſes to the frontier. on a fixed valuation of ſeven rupees per maund. On importation from Napaul; two and a half per cent.
ARMS, viz. **SWORDS**, **MATCHLOCKS**, **SHIELDS**.	Two rupees per matchlock, one rupee for a ſword, and four annas for a ſhield, on importation or tranſit.
ARSENICK (white), red Arſenick or Realgar, yellow Arſenick or Orpiment, (Hurtaul),	Ten per cent ad valorem.
SULPHUR, or **BRIMSTONE**,	Ten per cent ad valorem.
ALLUM,	Ten per cent ad valorem.
BORAX, and **TINCAL**,	Five per cent ad valorem. If imported from Napaul; two and a half per cent.

VITRIOL, or TOOTEAH,	Five per cent ad valorem.
SALAMMONIAC,	Five per cent on a fixed valuation of twenty five rupees per factory maund.
ALKALI, SOOJEE MUTTEE, or NATRON,	Five per cent on a fixed valuation of one rupee per maund.
SOAP,	Five per cent on a fixed valuation of eight rupees per maund.
TALLOW, TALLOW CANDLES, and HOGSLARD,	Five per cent ad valorem on exportation by ſea only.
SALTED PROVISIONS,	Five per cent ad valorem on exportation by ſea only.
PURSER'S STORES,	Five per cent ad valorem on exportation by ſea only.
RAW HIDES, LEATHER,	Five per cent ad valorem.
BOOTS, SHOES, and SLIPPERS,	Five per cent ad valorem.
FURS,	Five per cent ad valorem on importation. If from Napaul two and half per cent.
HOOKAS, VIDRE WARE, and HOOKA SNAKES,	Seven and a half per cent ad valorem.
STONE PLATES,	Five per cent ad valorem.
CHANKS, or SAUNKS,	Seven and a half per cent ad valorem.
COWRIES,	Five per cent ad volorem, on importation at Calcutta, Chittagong, or Balaſore only.

Beads, Malas, or Rosaries,	Seven and a half per cent ad valorem on importation by ſea only.
Coral,	Ten per cent ad valorem.
Elephant's Teeth, Ivory,	Seven and a half per cent at a fixed valuation of one hundred and ten rupees per maund.
Cow Tails, and Chowries,	Five per cent on importation. If from Napaul; two and a half per cent.
Bengal Paper,	Five per cent ad valorem.
Wines, and Europe Goods,	Ten per cent to be levied on their importation by ſea only.
Carriages,	Seven and a half per cent imported by ſea, to be levied under the rules ſpecially enacted for Calcutta.
Pipe Staves,	Seven and a half per cent.
Gin, Brandy, Rum, and Arrack,	Ten per cent on importation from Europe, or America, Thirty per cent on importation from foreign territories in Aſia.
Tea,	Ten per cent.
China Goods,	Seven and a half per cent on importation by ſea.
Coffee,	Seven and a half per cent on importation by ſea.
Sago,	Seven and a half per cent on importation by ſea.
Rattans,	Seven and a half per cent on importation by ſea.
Tobacco,	On importation by land or ſea into the province of Cuttack; ten per cent to be levied at the cuſtom houſe of Balaſore only.

How to be publiſhed for general information.

Second. The book of rates ſhall be publiſhed for general information in the cutcherries of the magiſtrates, and of the collectors of the land revenue, as well as at the different cuſtom houſes throughout the provinces. The book ſhall moreover be reviſed and republiſhed under the above rules, on the firſt day of May of every third year.

Valuation at one cuſtom houſe to bind all other cuſtom houſes.

Third. The valuation of goods by the book of rates at the cuſtom houſe, from which the rowannah for them may have been taken out, ſhall bind all other cuſtom houſes to abide by the ſame rate of valuation, wherever the goods may go.

Rule to be obſerved if the article liable to duty ad valorem ſhould be omitted in the book of rates.

Fourth. If any article liable to pay duty ad valorem ſhould be omitted in the book of rates (which it is expected however can very rarely happen,) the value ſhall be taken to be the prime coſt proved by the invoice, or otherwiſe to the ſatisfaction of the collector, with an advance of twenty per cent thereon, the ſpecial rule contained in Clauſe Third, Section XLVIII, ſhall moreover be generally applied to caſes of this deſcription.

Damaged goods to be rated at their actual value.

Fifth. In caſes where goods ſhall have been damaged, and ſhall not be in what may be conſidered a merchantable ſtate, they ſhall be rated at their actual value, inſtead of being ſubjected to the payment of duties on the valuation ſpecified in this regulation, or in the book of rates.

Coin in which the duties are to be paid.

Sixth. The duties payable under this regulation ſhall, in the ceded and conquered provinces, (excepting Cuttack,) be levied in Lucknow ſicca rupees, of the ſtandard eſtabliſhed by Regulation XLV, 1803, in the province of Benares, in the Benares rupee; and in all the other provinces including Cuttack, they ſhall be levied in Calcutta ſicca rupees, of the ſtandard eſtabliſhed by Regulation XXXV, 1793.

Standard fixed for the maund

Seventh. In all caſes in which the duties are directed to be

levied

weight, when not otherwiſe ſpecified.

levied upon the maund without ſpecifying any particular weight or kind thereof; the maund ſhall be taken to be of eighty Calcutta ſicca weight to the ſeer throughout all the provinces ſubject to this Preſidency.

Special rules reſpecting exports to, and imports from, the territory of Rampore.

XVI. Goods and articles of trade, exported from the province of Rohilcund into the territory conſtituting the jaghire of Rampore, ſhall not be ſubject to the payment of any duty, on being exported from ſuch province into the territory aforeſaid. All goods and articles of trade, imported into the province of Rohilcund from the Rampore jaghire, being of the deſcription of goods and articles of trade which are liable to the payment of Government cuſtoms under this regulation, ſhall be ſubject to the payment of the ſame import duties to which the ſame goods and articles of trade are ſubject, on importation from the dominions of the Nawaub Vizier.

And regarding the city of Dehly and its dependencies.

XVII. In levying the duties preſcribed in this regulation, goods imported into, and exported from, the city of Dehly and the circumjacent territory to which the regulations of the Britiſh Government have not been extended, ſhall be ſubject to the ſame duties, as are levied on goods imported into, and exported from, foreign ſtates.

Parts of Regulations VI, and VII, 1804, relating to duties on the importation or exportation of ſalt in the ceded and conquered provinces and in the province of Benares, reſcinded.

XVIII. *Firſt.* Such parts of Regulations VI, and VII, 1804, as relate to the levying of duties on the importation of ſalt, whether the produce of the Britiſh territories or of foreign ſtates, into the ceded and conquered provinces, or into the province of Benares, and on the exportation of ſalt from any of the ſaid provinces are hereby reſcinded.

Duty to be levied on the importation of ſalt into the Doaub and the province of Benares.

Second. A duty ſhall be levied on the importation of ſalt, not being ſalt purchaſed at the Company's ſales at Calcutta, whether the produce of the Britiſh territories or of any foreign ſtate into the Doaub, and on the importation of any ſuch ſalt, which may not have previouſly paid the eſtabliſhed duty, into the province of Benares, at the following rates:

Rates of duty.

On Lahoree Salt,	1 rupee per maund,
Sambur ditto,	12 annas ditto,
Doodwanee ditto,	12 ditto ditto,
Balumba ditto,	8 ditto ditto,
Salumba ditto, Furrah ditto, Boraree ditto, or any other alimentary ſalt, excepting ſalt purchaſed at the Company's ſales at Calcutta,	4 ditto ditto,

Third. All alimentary ſalt, excepting ſalt purchaſed at the Company's ſales at Calcutta, paſſing or attempting to paſs through any part of the ceded and conquered provinces, or the province of Benares, without having paid the preſcribed duty and without being accompanied by a rowannah, will be liable to ſeizure and confiſcation.

Penalty for paſſing or attempting to paſs ſalt contrary to this regulation.

Fourth. Such parts of Regulations VI and VII, 1804, as have not been altered, or otherwiſe modified by this regulation, ſhall remain in full force.

Remaining parts of Regulations VI and VII, 1804, to remain in full force.

Fifth. Orders were paſſed by the Governor General in Council under date the 30th of September, 1804, empowering the officers holding the appointment of collectors of the Government cuſtoms in the ceded provinces, to levy the duties eſtabliſhed by Regulations VI and VII, 1804, on the importation and exportation of ſalt in the ſaid provinces. The collection of ſuch duties in the conquered provinces was, at the ſame time, entruſted to the officers employed in the collection of the land revenue in the ſaid provinces. It is now declared, that the duties to be levied on the importation

Duties on ſalt to be conſidered as forming a part of the government cuſtoms, to be levied under this regulation.

importation and exportation of ſalt, in the ceded and conquered provinces under the rules preſcribed by Regulations VI, and VII, 1804, and in the preſent ſection of this regulation, ſhall be conſidered as forming a part of the Government cuſtoms: ſuch duties ſhall accordingly be levied by the collectors of the Government cuſtoms and their reſpective deputies, in the ceded and conquered provinces, ſubject to the ſeveral proviſions of this regulation, as far as they may be applicable to the ſame.

XIX. *Firſt.* Rowannahs, or cuſtom houſe paſſes, ſhall be granted under the following rules:

Particulars to be ſpecified in the application.

Second. No rowannahs ſhall be granted, excepting upon a written derkhauſt, or application, ſigned by the proprietors of the goods, or their authorized agents, or the perſons in charge of the goods. The derkhauſt ſhall ſpecify the following particulars:

The merchant's name,
The ſort of goods,
The quantity of goods,
The number and deſcription of packages,
The value of the goods,
Whence brought or imported.

Penalties for attempting to paſs goods in larger quantities, or of ſuperior value, to what is ſpecified in the application.

Third. Should any attempt be made to paſs at any cuſtom houſe, a larger quantity of goods than that which is ſpecified in the derkhauſt, or to paſs goods of greater value than thoſe ſpecified in the derkhauſt; in the former caſe, the whole of the goods ſhall be liable to confiſcation; and in the latter caſe, the goods ſhall be ſubject to double duty.

Rowannahs applied for before twelve o'clock, to be delivered the following day, and not later.

Fourth. Rowannahs, for which application may be made on any day before twelve o'clock, ſhall be prepared and delivered at a period not later than the following day.

By whom rowannahs are to

Fifth. Every rowannah ſhall be ſigned and ſealed by the collector,

tor, or deputy collector, the darogah, and the tavildar or caſh-keeper; the latter of whom ſhall deliver the rowannah, upon the duties being paid.

be ſigned, ſealed and delivered.

Sixth. The darogah and the tavildar, ſhall each have the cuſtody of the ſeal of his office. Should either of the ſaid officers be convicted of allowing his ſeal to be removed from his poſſeſſion he ſhall be ſubject to diſmiſſion from his office, under the rules provided in ſuch caſes by Regulation V, 1804, and Regulation VIII, 1809.

Penalties for native officers permitting their ſeals to go out of their poſſeſſion.

Seventh. The rowannahs ſhall be written in the Perſian language and character, and in the Hindooſtanee language, and Nagree character, in the ceded and conquered provinces, and in the province of Benares; and in the Perſian and Bengal languages and characters, in the provinces of Bengal, Behar, and Oriſſa, (including Cuttack) and ſhall contain the following particulars:

Rowannahs in what languages to be written, particulars to be ſtated in them.

The number of the rowannah,
The date of the rowannah,
The merchant's name,
The ſorts of good,
The quantity of the goods,
The number and deſcription of packages,
The value of the goods,
The rate of the cuſtoms,
The amount of the cuſtoms,
and
The places from whence the goods have been brought, or imported, and to which they are proceeding.

XX. Commercial reſidents, or agents, and others, employed to provide goods for the Honorable Company's inveſtment, ſhall take out rowannahs to accompany the goods provided, on account of the Honorable Company's inveſtment, which are to paſs a cuſtom houſe ſtation. Such rowannahs ſhall be granted upon official

Rowannahs to be taken out for goods for the Company's inveſtment.
Such goods not liable to duty.

application for them, being made in writing to the collectors of the cuſtoms; but no cuſtoms, duties or fees whatever ſhall be levied on ſuch goods.

Regiſters of rowannahs to be kept at the ſeveral cuſtom houſes.

XXI. Regiſters of all rowannahs granted at each cuſtom houſe, ſhall be kept in the Engliſh and Perſian languages, according to ſuch form as the Board of Revenue and Board of Commiſſioners ſhall reſpectively preſcribe.

Rowannahs to be in force for one year only.

XXII. All rowannahs granted under this regulation, (excepting the maaſee rowannahs ſpecified in Section XXVIII,) ſhall be conſidered to be in force for one year only, calculating from the date on which they ſhall be reſpectively granted. After ſuch period, the goods covered by the ſaid rowannah, in the event of their being brought or moved within the limits of the chokies of any of the cuſtom houſes eſtabliſhed by this regulation, ſhall be again ſubject to the eſtabliſhed duties, in the ſame manner as if the duties on ſuch goods had never been paid. Rowannahs ſhall be delivered up and cancelled, whenever an opportunity offers for requiring it; as in the caſe of exportation by ſea; or in the caſes ſpecified in Sections XXV, and XXVI.

Rowannahs granted at any one cuſtom houſe, to be current throughout provinces, ſubject to the Preſidency of Fort William.

Goods accompanied by rowannahs, ſhall not be detained for examination more than one day.

XXIII. *Firſt.* A rowannah granted at any one cuſtom houſe ſhal be current, under the rules contained in this regulation, throughout the provinces, ſubject to the Preſidency of Fort William, and ſhall exempt the goods covered by it, in their paſſage to any place within the ſaid provinces, as well as on exportation from thoſe provinces (unleſs the goods be expreſsly made liable to a further export duty) from the payment of any further duty, under this regulation, and from any detention for a period longer than may be requiſite to enable the officers of any other cuſtom houſe to aſcertain, whether the goods and the rowannah correſpond. The detention of the goods for this purpoſe (whether they be goods provided for the Honorable Company's inveſtment, or belonging to private individuals) ſhall never exceed one day.

The collector after having made the neceſſary examination, ſhall, if the goods correſpond with the rowannah, certify the ſame upon the back of the rowannah. If the collector ſhall find, (in the caſe of private goods) that the merchant has taken up more goods, or any other goods, in addition to thoſe ſpecified in the rowannah, the whole of the goods ſhall be liable to confiſcation. If the collector ſhall have reaſon to believe, that goods ſuperior in value to thoſe ſpecified in the rowannah, are attempted to be paſſed, under ſuch rowannah, he ſhall cauſe a part of the goods to be opened and examined in the public cutcherry, in his own preſence; and if any ſuch fraud ſhall be diſcovered, the collector ſhall levy double duties on the real value of the goods compoſing the whole diſpatch.

Penalties on diſcovery of deviations in quantity or value from the goods ſpecified in the rowannahs.

Second. Should goods paſſing as being provided for the Honorable Company's inveſtment under the rowannahs directed to be granted by Section XX, be in any inſtance found not to correſpond with ſuch rowannahs, they ſhall nevertheleſs be permitted to proceed to the place of their deſtination; but the collector ſhall certify upon the back of the rowannah in what reſpect they have not correſponded therewith, and ſhall with the leaſt practicable delay report the circumſtances of the caſe to the Board, to whoſe authority he (the collector) may be ſubject; tranſmitting at the ſame time a copy of his report to the Board of Trade for their information.

Rules to be obſerved when goods ſtated to belong to the Hon'ble Company may not correſpond with the rowannahs.

XXIV. The collector at each cuſtom houſe ſhall keep a regiſter of all rowannahs, granted at other cuſtom houſes, which ſhall accompany goods paſſing his ſtation, in the ſame form as the regiſter preſcribed to be kept of rowannahs granted by himſelf.

A regiſter to be kept at each ſtation of rowannahs paſſing the ſtation granted at other cuſtom houſes.

XXV. Should a merchant be deſirous of dividing a diſpatch of goods into ſmaller quantities, after having taken out one rowannah for the whole; he ſhall be entitled, at any of the cuſtom houſes to as many rowannahs as he may require, on identifying the goods and paying a further duty of one half per cent thereupon and ſurrendering the original rowannah.

A diſpatch of goods may be divided into ſmaller quantities and rowannahs granted for thoſe quantities, on certain conditions.

XXVI.

Merchants entitled to exchange rowannahs, on certain conditions.

XXVI. It is declared, that a rowannah ſhall be conſidered to be in force for one year only. Should a merchant, however, be deſirous of removing his goods from the place to which they may have been carried, under the original rowannah, after the expiration of one year, he ſhall be entitled to an exchange rowannah for another year, at any of the eſtabliſhed cuſtom houſes, the goods being identified to the ſatisfaction of the collector, upon paying a duty of one half per cent thereon, provided that the old rowannah be produced for renewal and be delivered up before the expiration of the period for which it was iſſued, that the neceſſary enquiry may be immediately made and evidence taken to identify the goods; and it is hereby declared, that the production of the old rowannah ſubſequently to the expiration of its term, will not entitle the holder of it to a freſh rowannah in exchange for it.

For goods being the produce of the country or imported from foreign territories inland, which ſhall have already paid duty.

XXVII. The rule contained in the preceding ſection is to be conſidered applicable to goods or articles which are the produce of the country; and to goods imported from foreign territories inland, and which are reſpectively alleged to have already paid duty. All ſuch goods muſt be identified not only by the production of the original rowannah, but by other ſatisfactory evidence before the holder of it will be entitled to a renewal of it.

Goods imported by ſea, to be furniſhed with maaſfee rowannah, and be allowed to paſs inland without queſtion.

XXVIII. Articles which are not the produce of the country, but excluſively imported by ſea, and which muſt of courſe have paid the duties to which they are liable on importation, ſhall be allowed to paſs inland without queſtion; and for that purpoſe ſhall be furniſhed with maaffee, or free rowannahs, by the collectors of cuſtoms at Calcutta, Chittagong and Balaſore, on the payment of a duty of one quarter per cent, and a fee at the rate of one rupee per mile on the value of the goods, the preſumption that the coſtums have been duly levied at the time of importation, being ſufficient to ſuperſede the neceſſity for any other inquiry; the fee above ſpecified is to be levied for the benefit of the collec-

Duty and fee to be paid on taking out maaſfee rowannahs.

tor: or in the caſe of his having a deputy, for their joint benefit, in ſuch proportion as the Governor General in Council, or the Vice Preſident in Council may direct.

Regiſters to be kept of exchanged rowannahs.

XXIX. At each cuſtom houſe there ſhall be kept a regiſter of all exchanged rowannahs granted therefrom, ſpecifying the date and number of its original rowannah, and the cuſtom houſe at which it was iſſued. A regiſter ſhall likewiſe be kept of all maaſee rowannahs, ſpecifying the date and number thereof, with the article for which, and the name of the perſon to whom, it may have been granted.

And of maaſee rowannahs.

Duties to be paid and rowannahs taken out previouſly to goods paſſing or attempting to paſs within the limits of the chokies.

XXX. *Firſt.* All the duties payable under this regulation, with the exception of ſuch caſes as are, or ſhall be otherwiſe expreſsly provided for, ſhall be paid, and the rowannahs for covering the goods, ſhall be obtained previouſly to the goods paſſing or attempting to paſs within the limits of any of the chokies, dependent on the cuſtom houſes eſtabliſhed by this regulation. Moreover, as thoſe chokies have now been confined within very narrow limits, with a view to relieve the commerce of the country from vexatious interruption, and it is to be ſuppoſed, that the owners of goods liable to the payment of the tranſit duties, can never find any difficulty in covering them by a rowannah, previouſly to their being moved; it is hereby declared, that ſhould any goods be brought within the limits of a chokey, without being accompanied with a rowannah, or be otherwiſe found in tranſit without ſuch a rowannah, (although there be no attempt clandeſtinely to evade the payment of the duties) they ſhall in any ſuch inſtance be chargeable with double duties; and if the goods be ſeized after having clandeſtinely paſſed, or in the attempt clandeſtinely to paſs within the limits of any of the ſaid chokies, without having paid the eſtabliſhed duties, and without being accompanied by a rowannah, they ſhall be liable to confiſcation.

A breach of this rule, to ſubject the goods to double duty.

And if the paſſing, or attempt to paſs be clandeſtine, to confiſcation.

Second. Provided, however, that if any perſon ſhould diſpute,

In caſes of non-payment of the

refuſe,

required duties, without any clandeſtine attempt to evade them, a part of the goods, adequate in value to the duties or double duties due on them, to be detained as ſecurity.
And to be ſold if the duties be not liquidated in three months.

refuſe, or omit payment of the required duties, without any attempt clandeſtinely to evade the payment of them, ſuch part of the goods as may be deemed equal in value to the duties, or double duties due on them, ſhall be ſecured, and depoſited in the cuſtom houſe, until ſuch duties ſhall be paid. And in the event of the duties not being liquidated within the period of three months, the goods ſhall, at the expiration of that period, be ſold at public ſale.

Any ſurplus proceeds of the ſale to be paid to the owners.

Third. After deducting the duties and cuſtom houſe charges, the balance of the ſales of goods ſold under the preceding clauſe, ſhall be paid to the owners of them on their making application for the ſame.

The Board's ſanction to be obtained previouſly to proceeding to ſuch ſales.

Fourth. The collectors of the cuſtoms ſhall report to the Board of Revenue and Board of Commiſſioners reſpectively, the goods remaining unredeemed, at the expiration of the three months, previouſly to proceeding to the ſale of them.

Officers of the cuſtoms required to ſeize all warlike ſtores attempted to be illegally tranſported.

Such ſtores liable to confiſcation.

XXXI. The tranſportation of cannon, and of all deſcriptions of fire arms or military ſtores, excepting on account of, or under, a paſs from the Britiſh government being prohibited, the collectors and all officers of the cuſtoms are required to ſeize all ſuch cannon, arms, or military ſtores, as ſhall be attempted to be tranſported in diſobedience of this prohibition. The cannon, arms, or ſtores ſo ſeized, ſhall be liable to confiſcation. This rule, however, is not to be conſidered as applicable to fowling pieces, piſtols, ſwords, or any other arms, which may be in the poſſeſſion of individuals, evidently for private uſe.

Rules to be obſerved by the officers of the cuſtoms with reſpect to contraband opium.

XXXII. The importation of opium, the produce or manufacture of the territories of the Nawaub Vizier, or of any foreign country, into any of the provinces, ſubject to the immediate government of the Preſidency of Fort William, is prohibited. The officers in charge of the cuſtoms throughout thoſe provinces, are accordingly hereby authorized and required to ſeize any contraband opium which may be brought within the limits of the chokies, dependant on their reſpective cuſtom houſes. Any opium which may be ſeized by thoſe officers, ſhall be delivered over to the judge of the city or zillah, to whoſe juriſdiction the caſe may be ſubject, conformably to the proviſions to that effect contained in Regulation VI, 1799, and Regulation XLI, 1803.

Collectors to report to the Board without delay, all caſes of goods liable eventually to confiſcation.

XXXIII. *Firſt.* Whenever goods ſhall be detained, on the ground of their being liable to confiſcation, the collector ſhall, with all practicable expedition, report the caſe, for the determination of the Board, to whoſe authority he may be ſubject.

Proceeds of goods confiſcated and ſold, under this regulation, how to be diſpoſed of.

Second. In the event of goods being confiſcated, under this regulation, (with the exception of contraband opium, or arms, or military ſtores, to which none of the rules contained in this ſection are to be conſidered as having any application,) they ſhall be ſold by public auction, and the net proceeds ſhall be divided as follows:

One-fifth to the collector or deputy collector.

Two-fifths, in equal proportions, to the informer, and to the officers of Government making the ſeizure.

Two-fifths to the Company.

The Boards empowered to releaſe goods, or remit penalties in certain caſes.

Third. The Board of Revenue and Board of Commiſſioners are hereby reſpectively empowered, in caſes in which there ſhall appear to them ſufficient cauſe for ſo doing, to direct the releaſe of any goods which may have become liable to confiſcation, or to remit any other penalties which may have been incurred for the breach of any rule contained in this regulation.

And to commute higher penalties for double duty and double commiſſion.

Fourth. The two Boards are hereby further empowered to order double duty to be levied, in lieu of any higher penalty which may be incurred under this regulation, in caſes in which there ſhall appear to them ground for a mitigation of ſuch penalty.

In what manner informers are to be remunerated in ſuch caſes.

Fifth. Provided, however, that in both of the two preceding caſes, if the goods ſhall have been ſeized on the information of an informer, and ſhall be clearly liable to confiſcation, the Boards reſpectively ſhall direct ſuch compenſation to be made to the perſon who gave the information (not exceeding the amount which he would have been entitled to, if the confiſcation had actually taken place) as they may deem equitable and proper, and the amount of ſuch compenſation ſhall be levied upon the goods, under the ſame rules as are preſcribed in Clauſes Second, Third and Fourth, of Section XXX, for levying the duties or double duties referred to therein.

Commiſſion to be drawn by the collectors of cuſtoms.

XXXIV. In lieu of the commiſſion and fees, which the collectors of the cuſtoms have heretofore been authorized to levy for their own benefit, thoſe officers ſhall be entitled to receive a commiſſion on the amount of the duties realized by them, and by their reſpective deputies on the public account, at ſuch rate as the Governor General in Council, or the Vice Preſident in Council, may determine. Provided, however, that if in any caſe, the perſon appointed to or holding the office of collector of the Government cuſtoms, ſhould likewiſe hold the office of collector of the land revenue; ſuch perſon ſhall only be entitled to draw a moiety of the ſaid commiſſion on the amount of the duties ſo realized.

To be reduced to one-half if the ſame perſon hold the office of collector of the land revenue.

Deputy collectors to receive fixed ſalaries.

XXXV. The deputy collectors of the cuſtoms, excepting at Calcutta, ſhall receive a fixed ſalary, and ſhall not be entitled to any commiſſion on their collections; but thoſe officers ſhall be entitled to receive, in all caſes, in which a ſeizure may be made by them, the proportion of one-fifth of the produce of confiſcated goods under Clauſe Second, Section XXXIII.

Certain proviſions of Regulation III, 1794, relative to caſes of embezzlement of the public money, or detention of papers,

XXXVI. With a view to provide againſt the embezzlement of the public money, or improper detention of papers or accounts, by native officers in this department, the proviſions in Sections XV, XVI, XVII, XVIII, XIX, XX, and XXI, of Regulation III, 1794, extended to officers of the cuſtoms.

(extended to Benares by Regulation V, 1800,) and in Regulation XXXIII, 1803, extended to the conquered provinces by Regulation VIII, 1805, are hereby declared to apply to all deſcriptions of native officers who may be employed under the preſent regulation, and who may be entruſted with the receipt of money, or the charge of accounts.

No collections to be made by officers of the cuſtoms, but ſuch as are authorized by this or ſome future regulation.

XXXVII. No collections whatever, either as cuſtoms, duties, commiſſion, fees, or under any other denomination, ſhall be levied by any of the officers employed at the cuſtom houſes or chokies, excepting ſuch collections as are, or may be authorized by this regulation, or by any other regulation which ſhall be hereafter enacted in the preſcribed manner.

Penalty of diſmiſſion for a breach of the foregoing rule.

Complaints for ſuch offences to be moreover cognizable by the magiſtrates.

And to be puniſhable by fine and impriſonment, or ſtripes, as circumſtances may warrant.

The party aggrieved may alſo ſue for damages.

XXXVIII. Any native officer proved to have been guilty of a breach of the rule contained in the foregoing ſection, will, of courſe be liable to be diſmiſſed from his employment, under the rules provided in ſuch caſes by Regulations V, 1804, and VIII, 1809. Complaints againſt native officers employed under the collectors of cuſtoms for offences of this nature, ſhall moreover be conſidered cognizable by the magiſtrates; and any ſuch native officer, on being convicted before a magiſtrate of having detained, or ſtopped goods, in any unauthorized manner; or of having exacted, under any plea or pretence whatever, as preſent, fee, or other conſideration for the paſſage of goods or otherwiſe, in violation of the regulations of Government, ſhall be deemed guilty of extortion, and be liable to be ſentenced to pay a fine not exceeding two hundred rupees, and to impriſonnent, not exceeding ſix months, or to corporal puniſhment, not exceeding thirty ratdans, according to the nature and circumſtances of the caſe, and the condition in life of the offender; and if the fine ſo adjudged be not paid, it ſhall be commutable to a further period of impriſonment, not exceeding ſix months, as provided with reſpect to other ſentences of the magiſtrate by Section XIX, of Regulation IX, 1807. The party aggrieved, ſhall, at the ſame time, be at liberty to proſecute the offender for damages in the Dewanny Adawlut.

Penalty and puniſhment, to which perſons not being officers employed by government in the collection of the cuſtoms, will be ſubject who ſhall exact cuſtoms or duties on any pretence whatſoever.

XXXIX. All native perſons, not being officers employed by Government in the collection of the government cuſtoms, or authorized by any regulation to collect cuſtoms or duties, who ſhall exact cuſtoms, or duties, of any denomination, on any pretence whatſoever, whether as principals or agents, ſhall likewiſe be deemed guilty of extortion; and on conviction before a magiſtrate, ſhall be liable to the penalties of fine and impriſonment to the ſame extent, and with the ſame qualification for commuting the fine to further impriſonment, if it be not paid as the magiſtrate is empowered to adjudge againſt native officers convicted of extortion under the preceding ſection: and the party aggrieved, ſhall in like manner be alſo at liberty to proſecute the offender for damages in the Dewanny Adawlut; but nothing contained herein, ſhall be conſtrued to authorize the magiſtrate to inflict corporal puniſhment in any ſuch caſe, on any ground whatever.

Exception of corporal puniſhment.

Rules under which complaints againſt collectors or deputy collectors of the cuſtoms are to be tried and determined,

XL. Regulation VIII, 1806, already preſcribes certain rules, general and ſpecial, which are to be obſerved in regard to all complaints inſtituted againſt the collectors or deputy collectors of the Government cuſtoms, for acts which under the regulations in force may be cognizable in the city or zillah civil courts. It is hereby further provided, that in caſes in which the Governor General in Council, under the rule contained in Section III, of that regulation, may order any ſuch complaint to be tried in a city or zillah court, either as a public ſuit againſt Government, or as a private ſuit againſt the party whoſe acts are complained of, the ſeveral rules in force relative to ſuits preferred againſt collectors of the land revenue, in matters in which they are in like manner amenable to thoſe courts, ſhall be applied (as far as the ſame may be applicable to the particular caſe,) to the whole of the proceedings in the ſuit in queſtion, and to the enforcement of the judgment when finally paſſed; as well as to the appropriation or diſburſement of the ſum or ſums which may be adjudged in favor of either party as coſts or damages therein. And the Board of Revenue and Board of Commiſſioners reſpectively ſhall exerciſe the

Powers to be exerciſed by the Board of Revenue ſame diſcretionary power and control in regard to conducting the defence of any ſuit, if it be a public ſuit (as well as in regard to proſecutions which may be inſtituted at the ſuit of government) and to carrying the ſuit through the different ſtages of appeal, if neceſſary, as they would exerciſe in the like caſes relating to ſuits connected with the land revenue.

and Board of Commiſſioners in regard to ſuch caſes.

XLI. The collectors of the government cuſtoms are empowered to propoſe to the Board of Revenue and Board of Commiſſioners reſpectively for the conſideration of the Governor General in Council, ſuch rules as may appear to them calculated to promote the better collection of the cuſtoms.

Collectors empowered to propoſe rules for the better collection of the cuſtoms.

XLII. All the rules in this regulation, reſpecting collectors of the government cuſtoms, unleſs where the contrary is expreſſed, ſhall be conſidered equally applicable to their deputies. But all accounts, official reports, and communications, of the deputies, ſhall be tranſmitted to the two Boards through the collectors, their immediate ſuperiors, and all propoſitions for the removal or appointment of the native officers attached to the ſeveral ſtations of Merut, Illahabad, Furrackabad and Mirzapore, ſhall likewiſe be made through the ſame channel (ſubject of courſe to the proviſions of Regulations V, 1804, and VIII, 1809,) and ſhall be communicated to the Board of Revenue or Board of Commiſſioners, with the collector's opinion thereon. The deputy collectors of cuſtoms are moreover to pay ſtrict obedience to all orders and inſtructions, they may receive from the collectors, to whoſe authority they may reſpectively be ſubject, provided they be not contrary to this or any other regulation in force at the time.

Rules in this regulation applicable to deputies and aſſiſtants. Further rules for their conduct.

MIRZAPORE SPECIAL RULES.

XLIII. *Firſt.* The following amended rules are to be obſerved in the collection of the cuſtoms in the Decan trade at the Mundovy or mart of Mirzapore.

Mirzapore ſpecial rules for the Decan trade.

Second.

When and where the imports are to be examined.

Second. The tellaſhee or ſearch and inſpection, of the goods imported by land, by the Decan beoparries, is to take place on the arrival thereof at the ſouth gateway of the Mundovy or mart.

When the duty on imports is to be paid.

Division of the import duty between the importer and purchaſer.

Third. The import duty to which the goods may be liable under Section XII, is to be paid in proportion as the ſaid beoparries diſpoſe of the whole, or any part of their inveſtments; upon which rowannahs for the goods, are to be iſſued in the names of the original importers: moreover, in purſuance of that part of the arrangement propoſed by the Decan merchants and ſanctioned by the Governor General in Council in December 1788, which further reſpects the mode of payment of their import duties at Mirzapore; the deputy collector is authorized to receive one half of the ſaid import duty from the importers, and the other moiety from the perſon or perſons to whom they diſpoſe of ſuch goods in the mart, for tranſportation and ſale beyond its limits, it being underſtood and ſtipulated, that if the Decan importer, inſtead of ſelling his goods thus brought into the mart, ſhall choſe, in view to a better market, to carry them to any place out of the ſaid mart, he is to pay the remaining half of the fixed duty himſelf, ſo as to make up the whole of the import duty to which the goods may be liable under Section XII.

Rules under which charchetties may be granted inſtead of rowannahs.

Fourth. With a further view to the accommodation of the Decan beoparries in regard to their exports from the mart of Mirzapore to the Decan, the deputy collector is authorized to grant char chetties or paſſes, with one ſeal only, inſtead of rowannahs for all goods paſſing from the mart of Mirzapore to the Decan, provided that ſuch goods ſhall have been firſt imported into the mart under a rowannah, certifying that the preſcribed duties have been collected thereon; or that the preſcribed duty ſhall have been levied on their importation into the Mundovy or mart without a rowannah. But all goods, the preſcribed duty on which ſhall not appear to have been once paid, muſt be cleared out, and be accompanied by a regular rowannah according to the form heretofore in uſe, previous to their being paſſed for exportation to the Decan.

CALCUTTA SPECIAL RULES.

Calcutta ſpecial rules.

XLIV. In addition to the general rules preſcribed in this regulation, the following ſpecial rules ſhall be obſerved in the collection of the duties directed to be levied on imports and exports by ſea, to and from the port of Calcutta.

IMPORTS.

Imports.

Tide-waiter to go on board of veſſels on their arrival.

XLV. *Firſt.* A tide-waiter ſhall go on board every veſſel that may come to anchor in the port of Calcutta, and enter in his book her name; the nation to which ſhe may belong; the name of her commander; from what port ſhe may have ſailed laſt; and every other neceſſary particular concerning her.

Notification to be inserted in the tide-waiter's book.

Second. The following notification ſhall be inſerted in the tide-waiter's book:

"FORT WILLIAM, (DATE)

"To all commanders and ſupercargoes of veſſels trading to the port of Calcutta.

"You are hereby directed immediately on your arrival at this port, to tranſmit to the cuſtom houſe, a true manifeſt upon oath, of all the goods and merchandize loaded on board of your veſſel, ſpecifying at what port they were received, and to whom they belong, either on account of the owners, or on freight, together with their marks and numbers, agreeably to the annexed form. You will likewiſe be pleaſed to deliver into my office your paſs and other credentials concerning your ſhip, which ſhall be returned to you after they ſhall have been inſpected.

(Signed) "A. B.
"*Collector of the Cuſtoms.*"

Manifeſt to be ſubjoined to the notification.

Third. The following form of the manifeſt ſhall be ſubjoined to the notification.

MANIFEST of the Cargo of the Ship A. from B. Commander, Captain C. under Engliſh colours.

Marks.	Numbers.	Packages.	Quantity of Goods	Quality of Goods.	Where Shipped.	To whom Consigned.

Maſter or ſupercargo to deliver in his manifeſt at the cuſtom houſe.

Fourth. As ſoon after the arrival of the veſſel as may be practicable, the captain, maſter, or ſupercargo ſhall deliver in his manifeſt at the office of the collector of the cuſtoms, and the collector or his deputy ſhall annex the following form of an affidavit to the manifeſt.

Affidavit to be annexed to the manifeſt.

"A. B. (commander or ſupercargo) of the ſhip C. maketh oath and ſaith, that the annexed manifeſt contains, to the beſt of his knowledge and belief, a true and juſt account of all goods and merchandize imported on the ſaid ſhip C. at the port of Calcutta."

Manifeſt to be ſworn to.

Fifth. The maſter or the ſupercargo ſhall next proceed to ſwear to his manifeſt before one of the Calcutta juſtices of the peace, and ſhall return it to the collector of the cuſtoms, with a certificate from the police office, purporting that he has delivered into that office a liſt of the European ſailors in his ſhip, ſpecifying their names and the countries to which they are ſubject; and has entered into a bond not to ſuffer any of his crew to come on ſhore with any kind of offenſive weapons at any time of the day or night. No merchandize ſhall be permitted to be landed from

Certificate required from the police office.

any ſhip or veſſel whatever until the above rules ſhall have been obſerved; nor until the collector of the customs ſhall have received from the maſter attendant the copy of a liſt of all Europeans on board, (including the name of the commander of the ſhip or veſſel, the names of the officers and crew, and of any paſſengers who may have arrived in her) which the commanders are further required to deliver to the pilot under whoſe charge the ſhip or veſſel may have entered the river. But when the above forms ſhall have been obſerved, and the preſcribed duties ſhall either have been paid, or ſufficient ſecurity ſhall have been taken for the amount of them, conſiſting either of a depoſit of goods or of Company's paper from the owner or freighters of the cargo, they ſhall be permitted to land the goods.

And liſt of Europeans on board, from the maſter attendant.

All which forms being obſerved; and the duties either paid or ſecurity being taken for them, the cargo may be landed.

Sixth. No permiſſion ſhall be given for the landing of any cargo or goods belonging to the captains or officers of ſhips or veſſels importing at Calcutta, or of any baggage belonging to paſſengers that may come in them excepting the cargoes, goods or baggage of the perſons named in the preceding clauſe.

No permiſſion to be given for landing any cargo or goods other than what is ſpecified in the preceding clauſe.

Seventh. All goods and packages without exception, imported from ſea, ſhall be landed at the cuſtom houſe; and if landed or attempted to be landed at any other place, either clandeſtinely or otherwiſe, they ſhall be liable to confiſcation.

All packages to be landed at the cuſtom houſe.

Eighth. Particular care ſhall be taken by the collector of the cuſtoms, to prevent veſſels mooring or lying between the north weſt baſtion of the old fort, and the export warehouſe wharf, nearer than the middle of the ſtream, and no boats or ſmall craft, excepting ſuch as may be employed in landing goods, are to be allowed to remain within the ſaid limits.

Rule to be obſerved regarding veſſels or craft lying oppoſite the cuſtom houſe.

Exception.

Ninth. In landing the cargoes of veſſels every ſeparate boat load ſhall be accompanied with a note, addreſſed to the collector of the cuſtoms, ſpecifying the quantity and quality of the goods.

Rules to be obſerved in landing cargoes.

The collector of the cuſtoms ſhall ſign an order on ſuch ſeparate note to weigh or examine the goods ſpecified in it, and to paſs them. No goods ſhall be landed without a note or permit, and great care ſhall be taken that no more goods are paſſed than the quantity ſpecified in the permit.

Rules to be obſerved upon the cargoes being landed.

Tenth. When the cargo ſhall have been landed, the boat, notes, or permits mentioned in the preceding ſection, ſhall be compared with the manifeſt, after which the collector of the cuſtoms ſhall proceed to make out bills for the duties demandable thereon under the ſeveral proviſions of this regulation.

Bill for the duties to be made out.

Penalty for not manifeſting goods.

Eleventh. Should any maſter or ſupercargo of a veſſel fail to deliver a full and true manifeſt of all the goods imported on his veſſel, (which manifeſt muſt exhibit as well the goods laden on account of the maſter, or ſupercargo, or owner of the veſſel, as the goods laden on freight) upon the ſame being proved to the ſatisfaction of the Board of Revenue, to whom the collector of the cuſtoms ſhall in every inſtance report the caſe, the goods not manifeſted, if landed on account of the maſter, or ſupercargo, or owner ſhall be ſubject to confiſcation. If laden on freight, the maſter or ſupercargo, ſhall be liable to a penalty, not exceeding the value of them. The penalty ſhall be payable immediately whenever the maſter, or ſupercargo, may be adjudged liable to it, by the Board of Revenue.

Caſe of a refuſal to pay the penalty.

Twelfth. Should the maſter or ſupercargo refuſe to pay the penalty, the Board of Revenue are authorized to prohibit any goods remaining on board of the veſſel from being landed, and further to cauſe a pilot and port clearance to be withholden from the veſſel, until the penalty ſhall have been paid.

Exception to goods laden on a Company's ſhip.

Thirteenth. Provided, that in the caſe of the Company's ſhips, the commanders are not required to inſert in their manifeſts either the goods laden on account of the Company, or the goods laden on the privilege of their officers, but the officers muſt ſeverally deliver manifeſts of their own goods. In the event of any officer of a Company's ſhip omitting to manifeſt any of the goods imported on his privilege, ſuch goods ſhall be liable to confiſcation. Moreover as the manifeſts, which the commanders and officers of the Honorable Company's ſhips are required to produce ſometimes, include goods which have been already diſpoſed of at intermediate ports, and do not therefore exhibit an exact ſtatement of the goods, which it is intended to enter at the cuſtom houſe, the commanders and officers in addition to their manifeſts, ſhall deliver in to the collector of the cuſtoms, an account of the goods which they propoſe to land for ſale, and ſhall execute a bond or note engaging to pay within three months the duties which will be chargeable upon ſuch goods. Any articles which may not be ſpecified in this account, ſhall be liable to confiſcation in whatever manner they may be landed.

Rules to be obſerved in caſe any goods ſhall have been diſpoſed of at intermediate ports.

Fourteenth. Inſtances having occurred of private goods freighted on the Company's ſhips, from other ports in India to Bengal, being omitted to be manifeſted at the cuſtom houſe, the commanders of the Company's ſhips are hereby required to take notice, that all ſuch goods muſt be manifeſted at the cuſtom houſe, and that in failure thereof, the goods will be liable to confiſcation.

Private goods freighted on the Company's ſhips from other ports in India, muſt be manifeſted.

Or will be liable to confiſcation.

Fifteenth. The amount of the pecuniary penalties which may be levied under the rule contained in Clauſe Eleventh, ſhall be divided in the ſame manner as the value of confiſcated goods is directed to be divided in Clauſe Second, Section XXXIII, of this regulation.

Pecuniary penalties levied under Clauſe Eleventh, how to be diſpoſed of.

XLVI. The duties on manifeſts ſhall be finally ſettled by the collector of the cuſtoms, without any reference to the Board of Revenue.

Duties to be finally ſettled by the collectors without any reference to the board.

XLVII. The duties ſhall be levied at the rates ſpecified in Sections

The duties are to be levied at

the rates ſpecified in Sections XII and XIII.

And if not paid in three months the depoſit to be forfeited.

Sections XII, and XIII. of this regulation, and muſt be paid within the period of three months from the date of the affidavit annexed to the manifeſt; in default of which, the depoſit which may have been made of goods, or Government ſecurities, under Clauſe Fifth, Section XLV, ſhall become forfeited to the Company.

Value of goods imported, how to be determined.

XLVIII. *Firſt.* The following rules are to be conſidered in force for determining the value of goods imported by ſea, whether on Britiſh or foreign bottoms.

The invoices or bills to be produced to the collector.

Second. The original invoices or bills of all goods imported into Calcutta by ſea, or from the foreign ſettlements, ſhall be produced to the collector of the cuſtoms, and, excepting in the caſes where it is otherwiſe directed in this ſection, the duties ſhall be ſettled upon the amount thereof. If any additional per centage is preſcribed, ſuch per centage ſhall be added to the amount of the invoice or bills, and the duty ſhall be ſettled upon the aggregate.

How the collector is to proceed if they are not produced; or if he ſhall ſee cauſe to ſuſpect their accuracy.

Third. If the original invoice or bills ſhall not be produced to the collector; or if he ſhall ſee cauſe to ſuſpect that the invoices or bills produced do not ſhew the true prime coſt of the goods, by which is to be underſtood their prime coſt in the country of which they may be the produce or manufacture; in either caſe, the duty ſhall be ſettled on the Calcutta price at the time of their importation; adding thereto the preſcribed per centage, where any is preſcribed.

When goods are paſſed on depoſits, the invoices or bills to be detained until the whole ſhall have been cleared out.

Or if there be no invoices or bills produced, the proprietor

Fourth. Moreover, whenever goods are paſſed on depoſits, the original invoices or bills ſhall remain in the cuſtom houſe, and ſhall not be ſurrendered until the whole of the goods ſhall have been cleared out, and all accounts of duty on them finally adjuſted; and if no invoices or bills be produced, and the depoſit be regulated under the proviſions of the foregoing clauſe by the Calcutta price of the goods; the proprietor muſt give his aſſent in writing to that valuation, previouſly to the depoſit being received.

muſt give his aſſent in writing to the valuation upon which the depoſit is regulated before it be received.

Fifth. The duty ſhall be levied on the inveſtments of the captains and the officers of the Honorable Company's ſhips, and on all goods whatever belonging to individuals imported from England, on the Honorable Company's or other Britiſh ſhips; on the price of the goods ſpecified in the invoice, or in the caſes ſpecified in Clauſe Third, upon the Calcutta price, without any addition to ſuch price.

Duty on the inveſtments of the Captains and officers of the Company's ſhips and of individuals imported from England on the Company's or other Britiſh ſhips, to be levied on the invoice price, without any addition thereto.

Sixth. Britiſh ſhips importing at the foreign ſettlements, ſhall pay duties in the ſame manner as if they imported at Calcutta.

Britiſh ſhips importing at the foreign ſettlements to pay the ſame duties as if they imported at Calcutta.

Seventh. An advance of fifteen per cent ſhall be added to the invoice of goods, the produce or manufacture of the Coromandel coaſt; and the duties ſhall be levied in the aggregate.

Per centage to be levied on the produce of the Coromandel coaſt

Eighth. The duty on goods from China, ſhall be levied with an advance on the invoice price of thirty per cent.

Per centage on China goods.

Ninth. The duties on indigo whether on importation or exportation ſhall be ſettled on a fixed valuation of one hundred ſicca rupees per factory maund.

Fixed valuation of indigo.

Tenth. The duty leviable under this regulation on ſpirits of whatever kind imported by ſea in caſks, (Batavia arrack excepted), ſhall be calculated on the fixed price of thirty pounds ſterling per pipe. A deduction of ten per cent for leakage will be allowed however as heretofore, provided the collector ſhall be ſatisfied that the caſks have not been filled up previouſly to their leaving the ſhip or after being landed. But if ullages or parts of caſks are filled up, or prior to the ſpirits or liquors contained in

Duty on ſpirits to be calculated at thirty pounds per pipe.

Batavia arrack excepted.

Rules with regard to leakage or ullages.

them being paſſed; the caſks ſhall be gauged, and the duty ſhall be levied without any deduction on the actual quantity. No deduction ſhall be allowed after the caſks ſhall have been removed from the wharf.

Duty on Batavia arrack to continue at fifty-five rupees per leager.

Eleventh. The duty on Batavia arrack ſhall continue to be ſettled at the rate of ſicca rupees fifty-five per leager.

Duty on cargoes imported in Portugueſe ſhips from Macao.

Penalty in certain caſes.

Twelfth. The duties on the cargoes of Portugueſe ſhips importing from Macao, ſhall be levied agreeably to the account ſales. In caſes in which the owners ſhall refuse to deliver the account ſales; and alſo, in caſes in which the collector ſhall ſuſpect that account ſales does not exhibit a true ſtatement of the ſales, an advance of forty per cent on the prime coſt of the goods ſhall be added, and the duties ſhall be levied on the aggregate.

Duties on the cargoes of American ſhips importing from Places to the weſtward of the Cape of Good Hope, and alſo from places within the limits of the Company's excluſive trade; to be levied at the ſame rates as on the cargoes of Britiſh veſſels.

Thirteenth. The duties on the cargoes of American veſſels, importing from places to the weſtward of the Cape of Good Hope, excepting ſuch part thereof as ſhall be the produce of America, ſhall be levied at the ſame rate, as the duties on the cargoes of Britiſh veſſels, importing from Europe; and the duties on the cargoes of American veſſels, importing from places within the limits of the Company's excluſive trade, ſhall be levied at the ſame rates as upon the cargoes of Britiſh veſſels importing from places within the ſaid limits.

Exception with reſpect to ſuch part thereof as may be the produce of America.

Fourteenth. The duties on ſuch part of the cargoes of American veſſels as ſhall be the produce of America, ſhall be levied on the account ſales of the goods duly atteſted.

Duties how to be levied on the cargoes of foreign ſhips importing from Europe or elſewhere with the exceptions above ſpecified.

Fifteenth. An advance of ſixty per cent ſhall be added to the prime coſt of all goods or articles, imported from Europe, or elſewhere, on veſſels under foreign colours: (with the exception of Portugueſe ſhips from Macao; or American ſhips; which are to be conſidered ſubject to the diſtinct proviſions ſpecified in the three preceding clauſes;) and the duty ſhall be levied upon the aggregate amount.

Goods imported into Calcutta from the foreign ſettlements to be aſſeſſed as if imported by ſea on a foreign bottom.

Sixteenth. Europe, and all other goods from ſea, imported into Calcutta from the foreign ſettlements, ſhall be aſſeſſed in the ſame manner, as if imported into Calcutta by ſea on a foreign bottom.

No claim to be admitted for a remiſſion of duty upon liquors or goods ſtated to be found damaged, unleſs the condition of the goods be aſcertained previouſly to their paſſing the cuſtom houſe.

Goods not in a merchantable ſtate, muſt be ſold on the ſpot, to entitle the owner to any remiſſion.

XLIX. No claim for a remiſſion of duty upon liquors or other goods ſtated to have been found damaged, will be admitted, unleſs the condition of the goods ſhall have been aſcertained previouſly to their paſſing the cuſtom houſe. On this examination of them at the cuſtom houſe, ſhould any of them be found not to be in a merchantable ſtate, ſuch goods muſt be ſold on the ſpot, as the condition of any remiſſion of duty; and the duty will be ſettled on the proceeds of the ſale. But it is to be underſtood, that no ſuch damaged goods will be permitted to be ſold, until the proprietor or his agent ſhall have cauſed to be inſerted in the Calcutta Gazette, an advertiſement, ſpecifying the day and time of the ſale, and the articles to be ſold; moreover, all ſales of damaged goods at the cuſtom houſe, are to be made in the preſence of the collector or his deputy; and the goods are to be lotted with the approbation of the collector.

Rules reſpecting ſuch ſales.

Packages, &c. of goods to be marked and numbered.

L. No packages, caſks, bales, cheſts, or parcels of goods of any kind, ſhall be received into the cuſtom houſe godowns, unleſs marked or numbered, and no receipts ſhall be granted for any packages not marked or numbered.

Limitation of time for goods to be allowed to remain in the cuſtom houſe godowns.

LI. No goods ſhall remain in the cuſtom houſe godowns, or under the ſhed or verandah of the godowns more than ſeven days, unleſs by expreſs permiſſion: ſhould any goods remain longer, they ſhall be liable to a charge for godown rent: goods ſhall alſo be liable to a charge for wharfage, at half the rate uſually charged for godown rent, if allowed to remain on any part of the cuſtom houſe wharf beyond the period of fourteen days without permiſſion from the collector.

Receipts to be granted with certain exceptions for all goods landed and lodged at the cuſtom houſe.

LII. The collector of the cuſtoms ſhall grant receipts on application being made for them, excepting in the caſes ſpecified in Section L, for all goods landed from ſhips and lodged in the cuſtom houſe. The collector of the cuſtoms ſhall be held reſponſible for delivering from the cuſtom houſe, all goods for which receipts ſhall have been ſo granted. Should the captains, officers or paſſengers, omit to take ſuch receipts upon their goods being landed, and lodged as abovementioned, they ſhall not be entitled to an indemnification for any part of them, which may be loſt in paſſing through the cuſtom houſe. The receipts ſhall be returned on clearing out the goods.

To be returned on clearing out the goods.

Tide-waiter to keep an account of all packages received and delivered.

LIII. An account ſhall be kept by the tide-waiter, of all packages, received into, or delivered out of the godowns.

Ships importing in ballaſt to be reported.

LIV. Ships importing in ballaſt, ſhall be reported accordingly by the maſter.

Collector to report whenever any arms or military ſtores being private property are landed.

LV. The collector of the cuſtoms ſhall report to the Governor General in Council through the Board of Revenue, whenever any arms or military ſtores being private property (with the exception of fowling pieces, piſtols or other arms, evidently for private uſe) are landed from any veſſels importing at Calcutta, ſpecifying the nature, numbers and quantity of ſuch arms and ſtores, together with the name of the ſhip, and of the commander or conſigner; the aforementioned report ſhall alſo ſtate whether the arms or ſtores were originally ſhipped as private property, or procured from either of the Company's Governments in India.

Precious ſtones to be entered as

LVI. Precious ſtones, though exempt from duty, muſt nevertheleſs,

vertheleſs, whether on importation or exportation, be entered at the cuſtom houſe, and their value be ſtated under a penalty of ten per cent on the value at which they may be eſtimated, after due enquiry by the cuſtom maſter.

the cuſtom houſe with their value.

Copper and other goods imported from any of the other preſidencies as having been taken from the government thereof to paſs duty free.

LVII. Copper, and all other goods imported from Madras, or any other of the Company's Preſidencies, with a certificate, ſpecifying that ſuch copper or goods have been taken from the government of that Preſidency in payment of advances due on contracts with the Company, or have been purchaſed at the Company's warehouſes, ſhall paſs duty free. But to avoid any miſconſtruction of this rule it is declared that certificates of goods having paid the import duty at the other Preſidencies, are not to entitle the goods to any exemption from duty, unleſs they ſhould expreſsly contain one or the other of the above ſpecifications.

Rules reſpecting goods landed expreſsly for re-exportation or tranſhipped in port.

LVIII. The importers of goods landed expreſsly for re-exportation or tranſhipped in port, are nevertheleſs to pay or depoſit ſecurity for the import duties in the ſame manner as if the goods had been deſtined for the markets of this country. Should the commanders of the Honorable Company's ſhips or others, be deſirous however of landing ſtores or other articles in Calcutta merely for temporary purpoſes, without any view to a ſale of ſuch ſtores or articles, they ſhall have the option of either paying or depoſiting ſecurity for the import duties thereon as above preſcribed; or of landing them, free of duty, upon making an application for that purpoſe to the collector of the cuſtoms, provided that, in the latter caſe, they ſhall at the ſame time, enter into a bond or note to the collector, engaging to pay double duties on all ſuch ſtores or articles, (and which ſhall be entered at the cuſtom houſe expreſsly for re-exportation) unleſs they ſhall be reſhipped on the ſame veſſel within the period of three months from the date of their being landed.

Or ſtores or other articles landed for temporary purpoſes only.

LIX.

Excepting in the caſes of parcels or neceſſaries from Europe. No perſon to be exempted from the payment of the preſcribed duties, without the ſpecial orders of the Governor General in Council.

LIX. Excepting in the caſes of parcels or neceſſaries from Europe, which the cuſtom maſter is to paſs at his own diſcretion, no perſon or perſons ſhall be exempted from the payment of the duties to be levied by this regulation, without the ſpecial orders of the Governor General in Council. In caſes in which the Governor General in Council may deem it to be proper to grant an exemption from the eſtabliſhed duties to individuals, the cuſtom maſter will be furniſhed with ſpecial orders regarding ſuch exemption.

Rates of Exchange.

LX. The following rates of exchange ſhall be adopted in the adjuſtment of the Calcutta cuſtoms.

TABLE of EXCHANGE for the Settlement of the Calcutta Cuſtoms.

COUNTRIES.	COINS.	RATE OF EXCHANGE.
Great Britain,	Pound Sterling,	at 10 Sicca Rupees,
Germany,	Crown,	at 2 Sicca Rupees,
Denmark,	Rix Dollar,	at Sicca Rupees 1-10,
Ceylon,	Ditto ditto,	at 14 Annas,
France,	Livre Tournois,	at 24 for 10 Sicca Rupees,
Ditto,	Mauritius Livre,	at 48 for 10 Sicca Rupees,
Spain,	Spaniſh Dollar,	at $2\frac{1}{4}$ Sicca Rupees,
Portugal and Madeira,	Milrea,	at $3\frac{3}{4}$ Sicca Rupees,
Buſſorah,	Raize Peaſtre,	at 12 Annas,
China,	Tule,	at $2\frac{1}{3}$ Sicca Rupees,
Madras,	Star Pagoda,	at $3\frac{3}{4}$ Sicca Rupees,
Ditto,	Swamy ditto,	at 4 Sicca Rupees,
America,	Currency to be converted into Pound Sterling as follows:	
New England,	By multiplying by 3 divided by 4,	The Pound Sterling, to be rated as above, at 10 Sicca Rupees. Where the invoices are in Dollars; the Dollar to be rated at $2\frac{1}{4}$ Sicca Rupees.
Virginia,	Ditto ditto,	
New York,	By multiplying by 9 and divided by 16,	
Penſylvania,	Ditto by 3 and do. by 5,	
South Carolina,	By deducting $\frac{1}{27}$ part,	
Georgia,	Ditto,	

LXI. Two regiſters of imports by ſea ſhall be kept in the following forms:

Regiſters of imports.

FORT WILLIAM, REGISTER of GOODS imported by Sea and of the CUSTOMS collected thereon, in ——.

Regiſter Number	Date.	Number and nature of packages.	Veſſels	From whence imported.	Veſſels under what colours.	Merchant's Names.	Sort of Goods.	Quantity of Goods.	Amount of Invoice or adjuſted value	Rate of Duty.	Amount of Cuſtoms levied.

FORT

FORT WILLIAM, REGISTER *of* GOODS *imported by Sea, free of* CUSTOM *on* ——.

Register Number	Date.	Number and nature of Packages.	Vessels.	From whence imported.	Vessels under what Colours.	Merchant's Names.	Sort of Goods.	Quantity of Goods.	Amount of Invoice.

EXPORTS.

LXII. The duty on exports excepting in caſes where it may be otherwiſe herein directed, ſhall be levied on the Calcutta market price of the goods exported, deducting one tenth therefrom.

The duty unleſs otherwiſe directed to be levied on the Calcutta price, deducting one tenth.

LXIII. Articles of home produce or manufacture going from Calcutta to Serampore, or to any other of the foreign ſettlements, in the event of their being reſtored on the concluſion of peace, ſhall be ſubject to the ſame export duty as if they were exported by ſea direct from Calcutta in a foreign bottom.

What duties are to be levied on home produce exported from Calcutta to the foreign ſettlements, in the event of their being reſtored.

LXIV. All goods for exportation, the property of individuals, (with the exceptions hereafter to be ſpecified) ſhall be ſhipped from the cuſtom houſe, with a permit from the collector of the cuſtoms. Goods brought for exportation, from the interior of the country, previouſly to being ſhipped, ſhall be brought to the cuſtom houſe ghaut for examination.

Goods for exportation to be ſhipped from the cuſtom houſe.

LXV. Grain may, by permiſſion of the collector of the cuſtoms, be ſhipped from the ghauts, after it ſhall have been duly entered at the cuſtom houſe.

Exception allowed with reſpect to grain.

LXVI. The goods of individuals going to England upon the Company's tonnage, ſhall on the requiſition of the export warehouſe keeper, be ſent to the export warehouſe to be ſhipped from thence. The goods when ſent to the export warehouſe, muſt be accompanied by manifeſts in duplicate ſigned by the ſhippers with a certificate of the collector of the Government cuſtoms, ſubjoined to each manifeſt, ſtating that the duties have been duly paid. Or, in the caſe of their being exempt from duties that the entry preſcribed in Section LXXIV. has been duly made, without which the goods ſhall not be permitted to be laden.

Alſo with reſpect to the goods of individuals exported to England upon the Company's tonnage; which may be ſhipped from the export warehouſe.

Rules to be obſerved in ſuch caſes.

LXVII. All applications for permits ſhall be made to the collector of the cuſtoms in writing, and ſhall ſpecify the name of the veſſel

Applications for permits to be in writing, and to contain destain ſpecifications.

veſſel on which the goods are to be laden, the name of the commander, and the place to which the veſſel is bound, and ſhall be accompanied by a chellaun or invoice; ſpecifying the numbers and marks of the packages, the ſorts and quantities of goods in each, the place of manufacture, and the Calcutta market price thereof. After which official bills ſhall be made out for the duties, unleſs the goods be exempted from duty; and the amount ſhall be paid, or ſecurity given, for the payment of it in ten days, before the goods ſhall be permitted to be ſhipped.

Bills to be made out for the duties which are to be paid, or ſecurity given for the payment of them in ten days before ſhipping the goods.

Rules under which the collector is to proceed, if he has reaſon to ſuſpect that any bale of piece goods does not correſpond with the chellaun.

LXVIII. Should the collector of the cuſtoms have reaſon to ſuſpect any bale of piece goods not to correſpond with the chellaun, he ſhall ſummon the ſhipper, and in his preſence, ſhould he think fit to attend, cauſe the goods to be examined by the Company's examiner and appraiſer of piece goods, who, ſhould they appear to him rated below the Calcutta market price, ſhall proceed to appraiſe them by that price according to the beſt of his judgement and certify his appraiſement in writing under his ſignature, to the collector of the cuſtoms, who ſhould aſſeſs the goods agreeably to this appraiſement, deducting one tenth as above directed. Should the proprietor refuſe to pay the duties upon ſuch appraiſement, he ſhall not be permitted to ſhip the goods; it ſhall however be in the option of the proprietor in ſuch caſes to transfer the goods to the Honorable Company, at the price ſo ſettled by the appraiſer, after making the beforementioned deduction therefrom, provided the Board of Trade, to whom all ſuch caſes ſhall be reported by the collector of the cuſtoms, give their ſanction to ſuch transfer, and not otherwiſe.

In what caſes ſuch goods may be transferred to the Company.

Penalties if any bales are found to contain a greater quantity than may be ſpecified in the chellaun.

LXIX. Should any bales be found to contain a greater quantity than may be ſpecified in the chellaun, the whole of the bales in which ſuch exceſs may be found, ſhall be liable to confiſcation, and whatever goods the ſame perſon, on the faith of his chellaun, ſhall have before been permitted to ſhip on the ſame veſſel without examination, ſhall be ſubject to double duty.

LXX. On exporting gruff or other goods, not being piece goods, one or more cheſts, bags, or packages at the diſcretion of the collector of the cuſtoms may be examined and weighed, ſubject to the ſame penalties in caſe of a difference from the chellaun, as are ſpecified in the preceding clauſe.

Similar penalties in the caſe of gruff goods differing from the chellaun.

LXXI. All boats, laden with goods of merchandiſe from the interior of the country, ſhall be brought to the cuſtom houſe. The goods on any boats attempting to paſs Calcutta, without permiſſion from the collector of the cuſtoms, ſhall be liable to confiſcation.

All boats laden with goods from the interior, to be brought to at the cuſtom houſe.

Penalty if they attempt to paſs without permiſſion.

LXXII. Proviſions and ſtores for the uſe of His Majeſty's navy, which are the immediate property of the Crown, may be paſſed free of duty, but articles of proviſions furniſhed to His Majeſty's ſquadron by the contractors or their agents are not to be exempted from the payment of the preſcribed duties.

Proviſions and ſtores for His Majeſty's ſhips to paſs duty free.

Exception.

LXXIII. Parcels for individuals and neceſſaries ſhall be paſſed at the diſcretion of the collector of the cuſtoms.

Parcels for individuals and neceſſaries to be paſſed at the diſcretion of the collector.

LXXIV. Goods for exportation free from duty, ſhall nevertheleſs be entered at the cuſtom houſe, in the ſame manner as if they were goods paying duties.

Goods though free of duty muſt be entered at the cuſtom houſe.

LXXV. *Firſt.* Clauſe Firſt, Section XII, already provides for allowing a drawback of a fixed per-centage on certain articles ſpecified therein on exportation. In all other caſes not ſpecifically provided for, goods imported expreſsly for re-exportation, ſhall on re-exportation be allowed a drawback of two thirds of the amount of the duty paid on their importation.

Drawback to be allowed in caſes not provided for by Section XII, on goods declaredly entered for re-exportation.

Claims of drawback not to be allowed unleſs the goods ſhall be exported through the cuſtom houſe, and be regularly manifeſted.

LXXVI. It is to be obſerved as an invariable rule not to admit any claims for drawback, unleſs the goods ſhall be exported regularly through the cuſtom houſe, and be included in the manifeſt of the export cargo, delivered into the cuſtom houſe, by the commander or owner of the veſſel, on which they may be exported; with the application for a port clearance. Nor in any caſe after the port clearance ſhall have been taken out.

Nor on a part of the package in which they were imported, or any package not entire as imported.

LXXVII. No drawback ſhall be allowed on the re-exportation of articles imported from ſea, forming only a part of the package in which they were imported; or on any package that may not be entire as imported.

Nor for a return of duty after the veſſel ſhall have quitted the port.

LXXVIII. No claim for a return of duty upon goods ſtated not to have been ſhipped, ſhall be admitted after the veſſel ſhall have quitted the anchorage at Saugur.

Certificate required in the caſe of perſons exporting opium purchaſed at the Company's ſales.

LXXIX. Perſons who may be deſirous of exporting opium purchaſed at the Company's ſales, ſhall produce a certificate from the Board of Trade, or their officers, ſignifying that the opium in queſtion was purchaſed at the Company's ſales. The certificate muſt ſpecify the purchaſe, lot, the mark and number upon each of the cheſts applied for, the name of the purchaſer, the coſt of the opium, and the date of the ſale. Any opium not really purchaſed at the Company's ſales, and attempted to be paſſed as ſuch, or not correſponding with the certificate, ſhall be liable to confiſcation.

Opium not ſo purchaſed but attempted to be paſſed as ſuch, or differing from the certificates, to be liable to confiſcation.

Rules and limitations under which preſents or articles for family uſe may be ſent to Europe, the export duties being paid thereupon.

LXXX. Perſons deſirous of ſending preſents or articles for family uſe to Europe, as permitted by the Honorable Court of Directors, ſhall pay the export duties thereupon. The parcels or packages containing ſuch preſents or articles, the value of which ſhall not exceed three thouſand ſicca rupees, ſhall in future be regiſtered at the office of the Secretary to the Board of Trade, and when application is made to him for ſuch regiſtry, it muſt be accompanied by a certificate from the collector of the cuſtoms, that the duties have been duly ſettled. The ſecretary to the Board of Trade ſhall not regiſter any parcel or package, or grant an order for its being received on board any of the Company's ſhips, without the required certificate.

LXXXI. The maſter attendant ſhall not grant a pilot to any veſſel, until a certificate ſhall be produced to him from the collector of the cuſtoms of the duties on her cargo, both import and export having been paid, or ſettled, or of her export cargo, (if exempt from duties,) having been entered at the cuſtom houſe, as directed in Section LXXIV; together with a certificate from the police office, purporting that the commander or ſupercargo has delivered into that office, a liſt of the Europeon ſeamen embarked on the veſſel.

The maſter attendant not to grant a pilot to any veſſel without a certificate from the collector of the cuſtoms, which is to contain certain ſpecifications.

And a certificate from the police office.

LXXXII. The pilot of every veſſel which may have obtained her clearance, ſhall be ordered by the maſter attendant, not to permit any goods or merchandize to be received on board, unleſs the goods ſhall be accompanied by a certificate from the collector of the cuſtoms of their having paid or ſettled the export duties.

Pilot not to admit any goods on board a veſſel which has obtained her clearance, unleſs accompanied by a certificate that the export duties have been paid or ſettled.

LXXXIII. If the commander of the veſſel ſhall notwithſtanding the remonſtrance of a pilot, receive on board any goods or merchandize, not accompanied with a certificate as preſcribed in the preceding clauſe; the pilot ſhall immediately report the circumſtances to the maſter attendant, and detain the veſſel for his further orders; and all goods in ſuch predicament, ſhall be liable to confiſcation. Moreover, goods ſeized in the attempt to ſhip them in a clandeſtine manner ſhall be liable to confiſcation.

Pilot to detain the veſſel if any goods be received on board by the commander in oppoſition to the preceding rule.

LXXXIV. Goods trans-ſhipped without permiſſion firſt obtained from the collector of the cuſtoms; or ſhipped, or attempted to be ſhipped upon any other veſſel than that for which they

Penalty for trans-ſhipping goods without permiſſion, or attempting to ſhip them upon

may

any other veſſel than that for which they have been paſſed.

may have been paſſed at the cuſtom houſe, ſhall be ſubject to double duty.

Warlike ſtores not to be exported without permiſſion from the Governor General in Council.

LXXXV. Arms, ammunition, and military ſtores, (with the exception of fowling pieces, piſtols, or other arms in the poſſeſſion of individuals for private uſe,) ſhall not be exported without expreſs permiſſion from the Governor General in Council; and a full compliance with all ſuch rules and conditions as may be preſcribed by his orders for the guidance of the cuſtom maſter in regard to ſuch exports.

Regiſters to be kept of exports.

LXXXVI. Two regiſters of exports by ſea ſhall be kept in the following forms:

FORT WILLIAM, REGISTER *of* GOODS *exported by Sea, and of the* CUSTOMS *collected thereon in* ——.

Register Number.	Dates.	Number and nature of Packages.	Vessels.	Where bound.	Vessels under what Colours.	Merchant's Names.	Place of manufacture or produce.	Sort of Goods.	Quantity of Goods	Valuation.	Amount of Customs.

FORT WILLIAM, REGISTER *of* GOODS *exported by Sea, free of* CUSTOMS, *in* ——.

Register Number	Dates.	Number and nature of Packages.	Vessels.	Were bound.	Vessels under what Colours.	Merchant's Names.	Place of manufacture or produce.	Sort of Goods.	Quantity of Goods.	Amount of Invoice.

The

LXXXVII. The collector of the government cuſtoms at Calcutta is moreover to keep a regiſter of all piece goods and of indigo imported into Calcutta from the interior of the country under rowannah, and which ſhall be entered for exportation by ſea.

Further regiſter to be kept of piece goods and indigo imported from the interior for exportation by ſea.

LXXXVIII. Donies or other coaſting veſſels liable to the duties of pilotage, ſhall not be permitted to land or ſhip their cargoes, until the maſter attendant ſhall have certified to the collector of the cuſtoms, that thoſe duties have been paid, or that ſufficient ſecurity has been given for the payment of them.

Donies not to be permitted to land or ſhip their cargoes without a certificate that the duties of pilotage have been paid or ſecured.

LXXXIX. The communication between the Board of Trade and the collecter of cuſtoms in all matters relative to the imports and exports of the cargoes and the tonnage of the ſhips of the Honorable Company, or to the transfer of piece goods authorized under Section LXVIII, ſhall be direct; and the collector ſhall obey all ſuch orders as he may receive from that Board, conformably to this rule, reporting the ſame for the information of the Board of Revenue, in caſes where it may be neceſſary, that they ſhould receive information on the ſubject.

Direct communication authorized in certain caſes between the Board of Trade and the collector of cuſtoms.

And who is in ſuch caſes to obey the orders he may receive from that Board; reporting the ſame when neceſſary to the Board of Revenue.

XC. In every inſtance either of imports or exports, where the duties have been paid without any objections having been made to the rate of aſſeſſment; the collector is to conſider it an invariable rule to reject all claims for a return of any part of the duties ſo paid.

When duties have been paid without objection; claim for a return of any part of them are to be invariably rejected.

XCI. All goods imported or exported, ſhall be weighed by the Company's ſcales and weights.

All goods to be weighed with the Company's ſcales and weights.

XCII. The kyallee duſtoor aboliſhed by Section II, Regulation LVII, 1795, ſhall remain finally aboliſhed.

Kyallee duſtoor to remain aboliſhed.

XCIII. All ſuch general rules for the collection of the government cuſtoms contained in this regulation as may not be at

The general rules contained in this regulation, when not at variance with

variance

the ſpecial rules are to be adhered to in the collection of the Calcutta cuſtoms.

variance with the foregoing ſpecial rules, ſhall be conſidered applicable to the collection of the government cuſtoms of Calcutta on imports and exports, whether by land or ſea, and ſhall be adhered to accordingly.

Special rules for Chittagong, Ballaſore and Hooghly.

CHITTAGONG, BALASORE and HOOGHLY SPECIAL RULES.

The Calcutta rules of valuation to be applied in ſettling the value of goods imported by ſea.

XCIV. In the valuation of goods imported by ſea, the collectors of the government cuſtoms at Chittagong and Balaſore ſhall be guided by the rules preſcribed in this regulation for the valuation of goods imported by ſea at Calcutta as far as thoſe rules may be applicable.

Goods exported to be valued at the market price.

Unleſs where otherwiſe directed by this regulation.

XCV. In the valuation of goods for exportation by ſea, the market price of the goods at the ports from which they may be exported reſpectively at the time of their exportation, ſhall be taken as the ſtandard upon which the preſcribed duties are to be levied unleſs where otherwiſe directed by this regulation,

Drawback to be allowed on exports, the ſame as on exports from Calcutta.

XCVI. Sections LXXV, LXXVI and LXXVII, for regulating the drawback allowed on exports from Calcutta, ſhall equally apply to the ports of Chittagang and Balaſore.

Duties payable at the cuſtom houſe at Hooghly on goods which having been imported into any of the foreign ſettlements by ſea, ſhall be exported therefrom, into the interior of the country. After the payment of which, ſuch goods ſhall not be ſubject to any further inland duty.

XCVII. *Firſt*. Goods imported into any of the foreign ſettlements on the river Hooghly by ſea, ſhall on their exportation from the ſaid ſettlements into the interior of the country, pay to the collector of the government cuſtoms at Hooghly the ſame rates of duty as the goods would have been charged with, if they had been imported at Calcutta in a foreign bottom. After the payment of ſuch duty, the collector of cuſtoms at Hooghly, ſhall grant a rowannah which ſhall exempt the goods from the payment of any further government cuſtoms in their paſſage to any place within the limits of the provinces ſubject to this Preſidency, or in their paſſage through the ſaid provinces to any place out of the limits thereof to which they ſhall be exported inland.

Second.

Duties payable at the cuſtom houſe at Hooghly, on goods imported into the foreign ſettlements from the interior of the country.

Second. Goods which ſhall be brought from the interior of the country for importation into the foreign ſettlements on the river Hooghly, ſhall in like manner previouſly to their being allowed to paſs into the ſaid ſettlements, be charged by the collector of cuſtoms at Hooghly with the ſame duties which ſuch goods would be liable to on exportation from Calcutta by ſea in a foreign bottom.

Rule in regard to the caſes ſpecified in this ſection, if it ſhall appear that the goods have already paid the government cuſtoms at Calcutta or any other cuſtom houſe.

Third. Provided that in the caſes ſpecified in the two preceding clauſes, if the goods ſhall have already paid the government cuſtoms at Calcutta, or any other cuſtom houſe, the amount of the cuſtoms ſo paid, ſhall be ſet off and deducted from the duties required to be levied under this ſection.

BENGAL SECRETARIAT LIBRARY

A. D. 1810. REGULATION X.

A REGULATION *for aboliſhing the duties at preſent collected under the denomination of town duties, and for eſtabliſhing in place thereof a town duty to be levied on certain ſpecified articles of conſumption.*—PASSED *by the Vice Preſident in Council, on the* 10*th of April* 1810; *correſponding with the* 29*th Choite* 1216 *Bengal era; the* 20*th Choite* 1217 *Fuſſily; the* 30*th Choite* 1217 *Willaity; the* 6*th Choite* 1867 *Sumbut; and the* 5*th Rubee-ul-Awul* 1225 *Higeree.*

Preamble.

IN purſuance of the principle laid down in the preamble to Regulation IX, 1810, of equalizing the public burdens without impairing the reſources of government, and of obviating the inconveniences reſulting from the ſyſtem of ſucceſſive collections; the Vice Preſident in Council has reſolved to aboliſh the town duties heretofore collected, on various articles of merchandize, (which were alſo ſubjected to the payment of government cuſtoms); and in place thereof to eſtabliſh a town duty on certain ſpecified articles of general conſumption, to be levied on their importation into the cities and principal towns within the provinces immediately ſubject to the Preſidency of Fort William. The following rules have accordingly been enacted, to be in force throughout the ſaid provinces, from the period of their promulgation.

II.

Former regulations for the collection of town duties, reſcinded.

II. Regulations V, and X, 1801, and Regulation VI, 1805, for the collection of town duties in the cities of Calcutta, Patna, Dacca, Moorſhedabad, and Benares, and in the principal towns within the ceded and conquered provinces, are reſcinded; and all duties and collections whatever, made under the ſaid regulations, are declared to be aboliſhed from the date abovementioned.

Town duties in future to be levied at certain cities and towns on the articles, and at the rates ſpecified in this ſection.

III. *Firſt.* From and after the promulgation of this regulation, a town duty ſhall be levied at the rates and on the articles ſpecified in [redacted] this ſection, (ſubject to the modifications contained in Clauſe Third,) on the importation of thoſe articles for ſale, ſtore or conſumption into the cities and towns here undermentioned; viz. the cities of Calcutta, Benares, Moorſhedabad, Patna, Dacca, Agra, Furruckabad, Illahabad, and Bareilly; and the towns of Midnapore, Burdwan, Hooghly, Kiſhenagur, Jeſſore, Nattore, Dinagepore, Comilla, Iſlamabad, Nuſſeerabad, Rungpore, Poornea, Sylhet, Boglepore, Mozufferpore, Chuppra, Arra, Gya, Mirzapore, Goruckpore, Banda, Cawnpore, Myneporee-Coel, Moradabad, and Meerut.

Cities and towns

Articles and rates.

ENUMERATION OF ARTICLES.	*RATES OF DUTY.*
GRAIN, viz. RICE, (whether cleaned, or in the huſk) WHEAT and BARLEY,	Two and half per cent to be levied in the modes preſcribed in Clauſe Second, Section X.
DAUL, GRAM and BOOTT,	Five per cent.
OIL and OIL SEEDS,	Five per cent.
SUGAR, wet or dry, including JAGGREE and MOLLASSES,	Five per cent.
GHEE,	Ten per cent.

TOBACCO,	Ten per cent.
BEETLENUT,	Five per cent.
TURMERIC,	Five per cent.
CHARCOAL,	Five per cent to be levied on importation into the city of Calcutta only.
FIREWOOD,	Five per cent to be levied on importation into the city of Calcutta only.

Second. From and after the promulgation of this regulation, a duty ſhall be levied on the importation of ſalt, not being ſalt purchaſed at the Company's ſales [redacted] into the city of Benares, and into the towns of Agrah, Furruckabad, Allahabad, Bereilly, Mirzapore, Goruckpore, Banda, Cawnpore, Mynepooree-Coel, Moradabad and Meerut, at the following rates:

On LAHOREE SALT,	1 rupee per maund.
SAMBAR ditto,	8 annas ditto.
DOODAWNEE ditto,	
BALUMBA ditto,	4 ditto ditto.
SALUMBA ditto,	
FURRAH ditto,	
BORAREE ditto, and any other ſort of alimentary ſalt, excepting as above ſtated, that purchaſed at the Company's ſales at Calcutta.	

Duty not to be levied on the mere paſſage of the article through one city or town, when proceeding to another.

Third. It is to be underſtood that the articles enumerated in the preceding clauſes are to be ſubjected to the payment of the duty ſpecified therein, only on their being imported into the ſeveral cities and towns before mentioned, for ſale, ſtore, or conſumption within ſuch cities or towns: and that they are not to be ſubjected to any town duty, on their tranſit or paſſage through one city or town, when proceeding to another city, or town, or place.

Town duties (excepting in Calcutta) to be

IV. The town duties eſtabliſhed by this regulation, (excepting in

Farmed, under the ſuperintendence of the collector of the revenue or collected khas.

in the city of Calcutta,) ſhall be let in farm periodically, under the ſuperintendence of the collectors of the land revenue, ſubject to the control of the Board of Revenue and Board of Commiſſioners, in the provinces under their reſpective authorities; or collected khas by officers on the part of the ſaid collectors, as the Board of Revenue and Board of Commiſſioners may with the approbation of government direct. In the former caſe, the leaſes ſhall be for the period of twelve months or longer at the diſcretion of thoſe Boards; and propoſals ſhall be previouſly invited by public advertiſements, according to the forms uſually obſerved in inviting propoſals for the farm of lands.

Propoſals for farming the duties to be reported to the Board, to whoſe authority the collector may be ſubject.

V. All propoſals for farming the town duties ſhall be reported to the Board, to whoſe authority the collector may be ſubject; and thoſe only ſhall be accepted, which may be approved by the Board, ſubject to the final confirmation of government.

The propoſals to be accompanied with good and ſufficient ſecurity.

VI. The propoſals muſt be accompanied with good and ſufficient ſecurity, for the due payment of the amount to be engaged for, into the collector's treaſury by equal monthly inſtalments.

Sunnud to be granted to the farmer.

VII. When the ſecurity ſpecified in the preceding ſection ſhall have been entered into, by the farmer, whoſe propoſals ſhall have received the confirmation of the Board, a ſunnud or perwana ſhall be granted to him, under the official ſeal and ſignature of the collector, authorizing the farmer to levy the town duty ſpecified in Section III; ſubject to the ſeveral rules and reſtrictions preſcribed in this regulation; and the farmer ſhall at the ſame time on his part enter into an engagement, binding himſelf to adhere to the ſaid rules and reſtrictions, in the following form.

Form of cubooleat to be executed by the farmer.

" I ——— inhabitant of ———,

" Whereas the farm of the town duties in the city (or town) of ———, has been granted to me under the proviſions of Regulation X, 1810, for the period of ——— from the date hereof, at the ſum of ſicca rupees ——; I do accordingly hereby engage to pay the ſaid ſum of ſicca rupees —— into the treaſury of the collector of ——, by equal monthly inſtalments, conformably to the kiſtbundee endorſed hereupon; together with all ſuch intereſt, as may accrue, at the rate of one per cent per menſem, in the event of my failing to diſcharge the ſaid inſtalments or any of them with punctuality: provided however, that if the duties on grain ſhould be ſuſpended by order of government, at any time within the period of my leaſe, a remiſſion ſhall be granted to me on that account, at the rate of ſicca rupees —— per month, for ſo long as the ſuſpenſion ſhall continue. I further hereby bind myſelf ſtrictly to adhere to the ſeveral rules and reſtrictions preſcribed in the ſaid regulation, for my guidance, in levying the town duty ſpecified therein; and to forfeit three times the amount of any duties, fees, or collections of any denomination; which may be exacted, either by myſelf, or by any perſons employed by me, from individuals, beyond the authorized rates, in addition to any other penalties which the regulation before mentioned may preſcribe.

Limits within which the ſtations ſhall be fixed at which the town duties are to be levied.

To be determined by the Collector.

And notified to the magiſtrate.

And to be publiſhed for general information.

VIII. The farmer ſhall collect the town duties, at certain fixed ſtations on the public roads, or avenues, leading to the town or city; in ſuch manner as to comprehend the ſuburbs thereof, and all gunges and bazars, within a circle of two coſs round the town or city. The line of demarcation as herein preſcribed, ſhall be fixed by the collector, at each of the cities and towns ſpecified in Section III, (Calcutta excepted,) immediately on receipt of this regulation; and ſhall be notified to the magiſtrate for his information. A notification thereof, ſhall alſo be publiſhed, in the cutcherries of the magiſtrate and collector, for general information.

The farmer is to collect the preſcribed town duty on beetlenut, oil and ſugar.

IX. *Firſt.* The articles of beetlenut, oil and ſugar, being liable both to the government cuſtoms and town duty, the farmer will of courſe be at liberty to collect the preſcribed duty on thoſe articles,

ticles, whether they be accompanied with a rowannah or not; provided they be imported for ſale, ſtore, or conſumption.

Second. The article of ſalt, not being ſalt purchaſed at the Company's ſales, being likewiſe ſubject both to the government cuſtoms and town duties, in and above the province of Benares; the farmer of the town duties at the city of Benares and at the towns of Agrah, Furruckabad, Allahabad, Bareilly, Mirzapore, Goruckpore, Banda, Cawnpore, Mynporee-Coel, Moradabad, and Meerut, will in like manner be at liberty to collect the preſcribed duty on that article, with the exception above ſtated; whether it be accompanied with a rowannah or not, in caſe it be imported for ſale, ſtore or conſumption: provided however, that nothing contained in this regulation ſhall be conſtrued to authorize the levy of any duty on ſalt of any deſcription on its importation into any of the following cities or towns, viz. Calcutta, Moorſhedabad, Patna, Dacca, Midnapore, Burdwan, Hooghly, Kiſhenagur, Jeſſore, Nattore, Dinagepore, Comilla, Iſlamabad, Nuſſurabad, Rungpore, Poorneah, Sylhet, Boglepore, Mozufferpore, Chuppra, Arra and Gya.

Table of rates.

X. *Firſt.* All articles, liable to the town duties, ſhall, (with the exception ſpecified in the enſuing clauſe,) be valued at their current prices; and a table of rates ſhall be formed by the collector, once in the year, or for the period of the leaſe; upon which the farmer ſhall regulate his collections. The farmer ſhall be furniſhed with a copy of this table, under the ſignature of the collector; and atteſted copies ſhall alſo be fixed up at the cutcherries of the magiſtrate and collector.

Fixed rates for grain.

Second. Grain, viz. (cleaned rice, wheat and barley), ſhall be rated permanently at one Calcutta ſicca rupee per maund, of eighty Calcutta ſicca weight to the ſeer; and rice in the huſk, or paddy, at eight annas per maund. The merchant ſhall be moreover at liberty, (excepting in caſes in which the duty may be levied by a public officer of government, when it is always to be paid in money) to pay the duty in money or in kind, indifferently, at his option, that is, one ſeer in each maund, or eight gundahs in money, upon the articles of grain firſt mentioned; and one ſeer in each maund, or four gundahs in money, upon paddy: equivalent in both caſes, to two and a half per cent.

XI. The Governor General in Council, or Vice Preſident in Council, ſhall be at liberty to ſuſpend by an order in Council, the collection of the duties on grain, whenever it ſhall be judged expedient, and the farmer will accordingly ſpecify in his propoſals, the monthly rate of remiſſion expected by him, in the event of the duty on all or any of the ſorts of the grain, viz. rice, (whether cleaned or in the huſk,) wheat, barley, daul, gram, and boote, on which a duty is to be collected in virtue of Section III, of this Regulation, being ſuſpended.

Government may ſuſpend the duties on grain.

Propoſals of the farmers to ſpecify the remiſſion they will require in that event.

XII. The farmer ſhall maintain the neceſſary eſtabliſhment of weighmen, but ſhall not be at liberty to collect any kyally or other duſtoory on this account.

Farmer to keep the neceſſary eſtabliſhment of weighmen, but not to levy any duſtoor.

XIII. Grain or other articles ſhall not be detained by the farmer, for the purpoſe of being weighed or meted; nor on any other pretence, beyond twenty-four hours; under penalty of his forfeiting three times the amount of the duty demanded by him.

Grain or other articles not to be detained beyond twenty-four hours.

Penalty for a breach of this rule.

XIV. The farmer may, if he thinks proper, eſtabliſh golahs, in convenient ſituations, for warehouſing grain or other bulky articles; and may charge ſuch rent for the uſe of the golahs, as may be agreed upon with the merchant; but the farmer ſhall not be at liberty, to compel the merchant, in any caſe, to make uſe of ſuch golahs againſt his inclination.

Farmer may eſtabliſh golahs for the reception of grain or other bulky articles.

And charge rent for the uſe of them.

But ſhall not compel the merchant to uſe them.

Merchant and farmer may compromiſe the duties without examination, if they agree to do ſo.

XV. Should the merchant and farmer agree mutually on a compromiſe of the duties, on articles to be imported by the latter during a given period, without weighing or otherwiſe examining the articles; the parties ſhall be at liberty to make ſuch compromiſe.

Farmers and ſhopkeepers alſo may compromiſe the import duties for the payment of a fixed monthly ſum.

XVI. Should ſhopkeepers (venders of ſweetmeats and others) think proper to compromiſe with the farmer for the payment of a fixed monthly ſum, inſtead of paying the import duty on the articles ſold by them, the parties ſhall be at liberty to make ſuch compromiſe by mutual agreement.

Farmer's inſtalments to be paid by the tenth of each ſucceeding month.

Collectors to give receipts for ſuch payments.

Arrears if not diſcharged with intereſt, to be recovered by the ſame proceſs as an arrear of revenue.

And if the arrear ſhall amount to three inſtalments, the Board may annul the leaſe, and either grant a new leaſe, or hold the collection of the duties khas.

Other caſes in which the Board may hold the collection of the duties khas, inſtead of farming them.

XVII. The monthly inſtalments conformably to the farmer's engagement, are to be diſcharged with punctuality, by payment of the amount into the treaſury of the collector, on or before the tenth day of each ſucceſſive month, and the collectors are regularly to give their receipts for ſuch payments, under their official ſeals and ſignatures. In the event of the payment of an inſtalment being delayed beyond the period beforementioned, the collector is to proceed againſt the farmer and his ſecurity for the recovery of the amount due, with intereſt at the rate of one per cent per menſem, from the date on which the arrear became due until it be diſcharged, by the ſame proceſs as is preſcribed for the recovery of an arrear of revenue. Moreover, if at any time the farmer ſhould fall in balance to the amount of three ſucceſſive inſtalments, the Board of Revenue or Board of Commiſſioners reſpectively, ſhall be at liberty to annul the leaſe, (reporting the ſame for the information of government,) and may either grant a new leaſe to ſome other perſon, who may be willing to engage for the remainder of the term; or may direct the collection of the duty to be made by the collector. The Board of Revenue and Board of Commiſſioners are moreover reſpectively empowered, whenever they may not approve of the terms offered for the farm of the town duties, or may be of opinion, that it is not adviſable to let them in farm; to direct the collector to levy the preſcribed duties by means of his own officers. In the abovementioned caſes, and in all caſes where any interval may occur, either at the commencement of the year, or at any other period, during which the collection of the town duties may not have been actually committed to a farmer; the collector of the land revenue ſhall levy the preſcribed duties, in the ſame manner, and under the ſame reſtrictions, as are provided by this regulation for the guidance of the farmer.

If a leaſe be annulled, the compromiſes permitted under Sections XV and XVI, to be void;

unleſs renewed by a ſucceeding farmer.

XVIII. In the event of a farmer's leaſe being annulled under the proviſions of the preceding ſection, all compromiſes which he may have entered into with merchants under the option given to the parties by Sections XV and XVI, are to be conſidered void, unleſs renewed by the farmer engaging for the unexpired part of the term; or by the collector if the collection be held khas.

Penalties for clandeſtinely importing articles liable to the town duties without paying them.

To be enforced by diſtraint of the perſonal property of the offender.

XIX. Any individual who, upon a ſummary enquiry before the collector, ſhall appear to have imported clandeſtinely articles liable to the town duties, without having paid thoſe duties; ſhall be adjudged to pay a forfeit to the farmer, or (if the collection of the duty be made by the collector,) a fine to government, of three times the amount of the duties which would have been demandable in the firſt inſtance; and the collectors ſhall proceed in both caſes, to levy the amount of the penalty, if it be not immediately diſcharged, by diſtraining the perſonal property of the individual, againſt whom it may have been adjudged, obſerving the ſeveral rules and reſtrictions preſcribed by the regulations, in regard to diſtraints for arrears of rent.

No article to be liable to the town duty unleſs expreſsly declared to be ſo.

Nor articles declared to be ſo, when the quantity is ſo trifling as to be evidently for the immediate uſe

XX. No article whatever ſhall be liable to the town duty, which is not expreſsly declared to be ſo, by this or ſome future regulation. Moreover, to prevent the vexatious interruption of paſſengers, on pretence of ſearch; as well as haraſſing demands and exactions, upon individuals, who in coming into cities or towns upon their occaſional buſineſs, may happen to have about

their

of the individual poſſeſſing it.

their perſons, any of the articles enumerated in Section III, in ſmall quantities for their own immediate uſe or conſumption; it is hereby declared, that no duty whatever ſhall be collected or demanded upon any of the ſaid enumerated articles in ſuch caſes; that is to ſay, when the quantity of the article in the poſſeſſion of the individual, may be ſo inconſiderable, as to be evidently intended for the purpoſes above ſpecified; and not for ſale or ſtore, nor amounting to a load or burthen.

Penalties for any breach of the two preceding rules.

XXI. Any farmer, collector, or perſon in charge of the collection of the town duty, who in contravention of the preceding rules, ſhall levy the ſaid duty upon any article not expreſſly declared liable thereto; or which may be exempted therefrom for the reaſons above ſtated; ſhall, on proof of the fact, at the ſuit of the party aggrieved, be ſubjected to a fine of three times the amount of the duty ſo collected by him; in addition to ſuch coſts and damages, as may be awarded againſt him, on a conſideration of the injury ſuſtained by the complainant. The illegal detention of any article not liable to the town duty, on any pretence whatever; although no duty be actually levied; ſhall moreover be puniſhable, by fine, according to the circumſtances of the caſe, in a ſum not exceeding five hundred rupees; in addition to the coſts and damages which may be adjudged to the party ſuing therein.

And for illegal detention of any article not liable to the town duty.

Collector empowered to hear complaints againſt the farmer or his ſervants, and to adjudge the preſcribed penalties.

XXII. The collector is empowered to hear all complaints which may be preferred againſt the farmer, for any acts committed by him, or by the perſons employed by him, incurring the penalties ſpecified in the preceding ſection; or in Section XIII, of this regulation; and to award payment of the ſaid penalties, with coſts and damages to the party aggrieved, upon a ſummary enquiry. The collector is alſo empowered generally to hear all complaints of undue exactions by the farmer or his ſervants; and on proof thereof, to award to the complainant, upon a ſummary enquiry, three times the amount of the duties collected beyond the autho-

Collector's order how to be enforced.

rized rates. The collector's order in all ſuch caſes, ſhall be enforced againſt the farmer, by the ſame process as is preſcribed in the exiſting regulations for the recovery of an arrear of revenue.

Either party diſſatisfied with the collector's order may inſtitute a ſuit in the dewanny adawlut for damages.

XXIII. If either party ſhould be diſſatisfied with any order paſſed by a collector, adjudging any of the penalties ſpecified in the three preceding ſections, againſt any individual at the ſuit of the farmer; or vice versâ, on the complaint of any individual againſt the farmer, or his ſervants; ſuch party ſhall be at liberty to inſtitute a ſuit in the dewanny adawlut for damages, on account of any injury he may deem himſelf to have ſuſtained thereby; but the inſtitution of ſuch ſuit, ſhall not prevent the execution of the order paſſed by the collector as above directed; nor of any proceſs of diſtraint which he may iſſue under the proviſions of Section XIX.

The inſtitution of ſuch ſuits not to prevent the execution of the collector's order.

Rules under which complaints againſt the collectors for acts which may be repugnant to this or any future regulation for the collection of the town duties, are to be received, tried, and determined.

XXIV. Complaints againſt the collectors, for any unauthorized exaction or demand made by them; or for iſſuing any unwarrantable proceſs of diſtraint; during any period when the collection of the town duties, may be under their own direct management, and not under that of a farmer; or for any act whatever which may be repugnant to this regulation, or any future regulation for the collection of the town duties; ſhall be received, tried, and determined, according to the ſame rules as are preſcribed by the exiſting regulations, for receiving, trying, and determining, complaints againſt the ſame officers, in regard to matters connected with their duties as collectors of the land revenue. It is moreover hereby declared, that in all inſtances when the collection of the town duties ſhall be made by the collector; the proviſions of Section XXXVIII, Regulation IX, 1810, ſhall be conſidered applicable to all native officers employed under him; who may be guilty of levying any unauthorized exaction, in contravention of the rules contained in Section XX, of this regulation.

And for the puniſhment of native officers employed by them, who may be guilty of levying any unauthorized exactions.

Collectors to receive a commiſſion on the amount of the collections realized by them.

XXV. As a remuneration to the collectors of the land revenue, for their trouble in executing the ſeveral additional truſts herein committed to them; they ſhall be entitled to receive ſuch commiſſion on the neat amount of the collections actually realized, as government may fix, whether the duties be farmed or be held khas.

Calcutta ſpecial rules.

CALCUTTA SPECIAL RULES.

Town duties to be levied by the collector of the government cuſtoms aſſiſted by his deputy.

XXVI. The collection of the town duties eſtabliſhed by this regulation, ſhall in the city of Calcutta, including the ſuburbs thereof, be levied by the collector of the government cuſtoms; who for this purpoſe ſhall be alſo ſtyled collector of the Calcutta town duties; aſſiſted by his deputy, who ſhall alſo be ſtyled deputy collector of the Calcutta town duties.

Oath of office.

XXVII. The collector and deputy collector of the Calcutta town duties, ſhall take and ſubſcribe the following oath, before the Governor General in Council, or any perſon whom he may commiſſion to adminiſter it.

" I, A. B. do ſolemnly ſwear, that I will faithfully diſcharge the duty of collector (or deputy collector) of the Calcutta town duties; that I will not directly or indirectly, by myſelf or others, be concerned in, or allow of, any collections being made, but ſuch as are authorized by, and brought to the credit of government; that I will not take or receive, or knowingly allow any other perſon to take or receive, any preſent, gratuity, fee or advantage whatever, on account of any matter relating to the duty of my office, excepting ſuch as now is, or may be hereafter, authorized by the Governor General in Council.

" SO HELP ME GOD."

The duties are to be levied on the importation of the articles ſpecified in Section III, into any

XXVIII. *Firſt.* The Calcutta town duties ſhall be levied upon the articles ſpecified in Section III, on their being imported for ſale, ſtore, or conſumption, into any part of the city, or its ſuburbs:

the boundaries of which for the purpoſes of this regulation, are declared to be as follows:—

part of the city or its ſuburbs.

Boundaries of the ſuburbs of the city of Calcutta deſcribed.

ON THE NORTH.

A line drawn northweſt from Dum Dum Bridge, to the ſouthern extremity of the town of Barnagore; and thence, obliquely acroſs the Hooghly River, to the ſouthern bank of the nulla called the Bally Khal.

ON THE WEST.

From the Bally Khal along the high road from Hooghly to Sangral, through the townlets or villages of Sulkea, Howra, and Sheebpore, to the ſmall nulla on the weſtern boundary of Colonel Kyd's premiſes at Sheebpore Point: from thence obliquely acroſs the river, to the termination of the new Road at Muchwa Colah; and along that road, to the end of its interſection of the old and new Garden Reach Roads.

ON THE SOUTH.

From the end of the new Road above mentioned, a line drawn in a ſouth-eaſterly direction, ſo as to include the town or haut of Ballia, to Tolly Gunge; and including that Gunge.

ON THE EAST.

From Tolly Gunge to Ballia Ghaut on the ſalt water lake; and from thence on, in a line, to Dum Dum Bridge.

Second. The whole of the ſpace contained within the boundary lines above deſcribed, and the limits of the city as defined in Section XVII, Regulation III, 1793, ſhall be conſidered as forming the ſuburbs in queſtion.

XXIX. The collector of the Calcutta town duties ſhall eſtabliſh two chokies on the Hooghly River; one at the mouth of the Bally Khål; and the other at Kidderpore Gaut. He ſhall alſo

Collector to eſtabliſh two chokies on the Hooghly River.

And chokies at ſuch of the cutrances by land as may be ſanctioned by the Board.

alſo eſtabliſh chokies at ſuch other gauts, and at all ſuch of the entrances of the city, or ſuburbs of the city, by land, as may be ſanctioned by the Board of Revenue, on his recommendation.

Duties when to be levied.

XXX. *Firſt.* The town duties on the articles ſpecified in Section III, which may be imported from the interior of the country on boats; with the exceptions ſpecified in the following clauſe, ſhall be levied, on the arrival of the boats, at either of the two river chokies abovementioned, and the duties on articles imported from the interior of the country by land, ſhall be levied, on the articles entering any part of the limits of the city as above defined. The collector however may grant paſſes, for the free paſſage or entry of the articles ſo imported into the city, on the applications of the owners; provided that ſuch applications be accompanied with good and ſufficient ſecurity to his ſatisfaction for the payment of the amount of the duties chargeable upon them, in fifteen days.

Collector may grant paſſes upon ſecurity being given for the payment of the duties in fifteen days.

Rules to be obſerved if the articles imported, be expreſsly intended for exportation, or be declared to be paſſing up or down the river.

Second. If the articles imported from the interior of the country on boats, be expreſsly intended for exportation by ſea; or be declared to be only paſſing up or down the river, without any intention of landing them in the city or its ſuburbs; no duty ſhall be levied thereon upon their arrival at either of the river chokies. But in both caſes, the boats on which ſuch articles ſhall be laden, ſhall be conducted to the cuſtom houſe, by one of the peons of the chokey; who ſhall not quit the boats, or permit the articles loaded on them to be landed at any place, excepting at the cuſtom houſe; where they ſhall remain; until, either they are ſhipped or paſſed, under the ſeveral rules contained in Regulation IX, 1810, which may be applicable to the export or paſſage of ſuch articles: or, if not exported nor paſſed; that the preſcribed town duties be paid upon their being landed for ſale, ſtore or conſumption.

Articles attempted to be paſſed in boats without ſtop-

XXXI. The collector and his officers are required to bring to the cuſtom houſe, all boats attempting to paſs the town, without ſtopping to be examined: and ſhould goods or articles of any kind be found on board of boats ſo attempting to paſs, after being required by the cuſtom houſe officers to ſtop; ſuch goods or articles ſhall be liable to confiſcation, at the diſcretion of the Board of Revenue.

ping to be examined, liable to confiſcation.

XXXII. *Firſt.* Should any perſon diſpute the payment of the preſcribed town duties, on articles liable thereto; and ſhall neither pay them, nor give ſecurity to the ſatisfaction of the collector for the payment of them in fifteen days; ſuch part of the articles as ſhall be deemed equal in value to the amount of the duties, ſhall be ſecured, and depoſited in the cuſtom houſe; or in ſuch ſtore houſe or place, as the collector ſhall appoint for the reception of them, until the duties be paid: and in the event of their not being liquidated within the period of fifteen days, the goods ſhall be ſold at public ſale.

Collector how to proceed ſhould any perſon diſpute the payment of the duties, and neither pay them nor give ſecurity for the payment of them.

Second. After deducting the duties and cuſtom houſe charges, the balance of the ſales of articles diſpoſed of under the preceding clauſe, ſhall be paid to the owners, on their making application for the ſame.

Balance of the ſales of articles under the preceding clauſe, how to be diſpoſed of.

XXXIII. Articles ſubject to the town duties under Section III, and attempted to be clandeſtinely conveyed into the city or its ſuburbs, without having paid the eſtabliſhed duty, are declared liable to confiſcation.

Articles attempted to be clandeſtinely conveyed into the city without payment of the eſtabliſhed duties, to be liable to confiſcation.

XXXIV. *Firſt.* Whenever any articles ſhall be detained on account of circumſtances ſubjecting them eventually to confiſcation, the collector ſhall ſubmit the caſe without delay to the Board of Revenue for their deciſion.

Whenever articles are detained eventually for confiſcation, the caſe to be reported to the Board without delay.

Second. In the event of any articles being confiſcated under this regulation, the ſame ſhall be ſold by public auction, and the net proceeds of the ſales ſhall be divided as follows:

Proceeds of the ſales of articles confiſcated, how to be applied.

One-fifth between the collector and deputy collector, in ſuch proportion as government may direct.

Two-fifths in equal proportions to the informer and the officers of government making the ſeizure.

Two-fifths to the Company.

he Board em-
owered to remit
r mitigate pe-
alties in certain
ſ.s.

Third. The Board of Revenue are empowered to direct the releaſe of any articles which may have become liable to the penalty of confiſcation; or to order double duty to be levied upon them in lieu of that penalty, in caſes in which there may appear to them grounds for the remiſſion or mitigation of ſuch penalty.

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nformers are to
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n ſuch caſes.

Fourth. In either of the two preceding caſes, if the articles ſhall have been ſeized on the information of an informer, the Board of Revenue ſhall direct ſuch compenſation to be made to him, (not exceeding the amount he would have been entitled to if the confiſcation had actually taken place,) as they may deem equitable and proper, and the amount thereof ſhall be levied upon the articles, according to the rules above preſcribed in Section XXXII.

ow to levy the
mount of ſuch
emuneration.

Of the penalty
of double duty
in caſes in which
it may be adjudg-
ed.

The penalty of double duty in caſes in which it may be adjudged under the proviſions of the preceding clauſe, ſhall be alſo levied in the ſame manner.

Regiſter to be
k pt of duties
collected under
this regulation.

XXXV. A regiſter of the Calcutta town duties collected under this regulation ſhall be kept in the following form:—

FORT

XXXVI.

FORT WILLIAM, REGISTER *of* CALCUTTA TOWN DUTIES, *collected on Imports, in May* 18 .

Register Number.	Date. 18 .	From whence imported	Importer's Names.	Description of Articles.	Quantity of Articles.	Rate of Duties.	Amount of Duties.

Collector and deputy collector to be ſubject to the juriſdiction of the zillah court of the twenty-four pergunnas.

Rules to be applied to caſes of complaint againſt them.

XXXVI. The collector and deputy collector of the Calcutta town duties, are declared amenable to the zillah court of the twenty four pergunnahs, for any acts done by them cognizable therein under the exiſting regulations; and the rules preſcribed in Regulation VIII, 1806, and in Section XL, Regulation IX, 1810, ſhall be applied to caſes of complaint againſt thoſe officers for acts relating to the collection of the town duties, the ſame as they would be applicable to the ſame individuals, in regard to complaints againſt them for acts done in their reſpective capacities of collector and deputy collector of the government cuſtoms.

Native officers under the collector how to be proceeded againſt for any acts committed by them contrary to this regulation.

XXXVII. The native officers employed under the collector, are alſo declared to be amenable both to the civil court of the twenty four pergunnas, and to the juriſdiction of the magiſtrates of that zillah; in regard to any acts committed by them in breach of the proviſions of this regulation; and all ſuch native officers ſhall be liable to be proceeded againſt, in the ſame manner, and ſhall be ſubjected to the ſame penalties for undue exactions, as are preſcribed with reſpect to native officers of the collectors generally in ſuch caſes, by Section XXIV, of this regulation.

Commiſſion to be received by the collector and deputy collector on the duties realized by them.

XXXVIII. The collector and deputy collector of the Calcutta town duties, ſhall be entitled to receive ſuch ſalary, allowance, or commiſſion on the amount of the duties realized under this regulation as government may direct.

What general rules are to be applied to the collection of the Calcutta town duties, in addition to the foregoing ſpecial rules.

XXXIX. In addition to the foregoing ſpecial rules, it is hereby declared, that the ſeveral general rules and reſtrictions contained in Sections III, IX, X, XI, XIII, and XX, of this regulation, are to be conſidered ſtrictly applicable to the collection of the Calcutta town duties, in all points in which they may not be ſuperſeded by, or be at variance with, the ſaid ſpecial rules.

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A. D. 1810. REGULATION XI.

A REGULATION *for amending a part of Regulation* IV, 1809, *reſpecting the temple of Juggunnauth.* —PASSED *by the Honorable the Vice Preſident in Council, on the* 27*th April* 1810; *correſponding with the* 16*th Byſaak* 1217 *Bengal era; the* 8*th Byſaak* 1217 *Fuſſily; the* 17*th Byſaak* 1217 *Willaity; the* 9*th Byſaak* 1867 *Sumbut; and the* 22*d Rubee-ul-Awul* 1225 *Higeree.*

Preamble.

WHEREAS it has been deemed expedient to exempt from the operation of Section XXI, Regulation IV, 1809, all ſuch native military officers and ſepoys, as may be actually on duty within the Attarah Nullah, or may be marching on ſervice through the town of Juggunnauth-pooree; and whereas great inconvenience and injury to the tax have been experienced from the exemption allowed to perſons reſiding within the Byturnee Nullah and Ganjam river; and whereas it has been aſcertained that the reſidents within the above limits were not exempted under the Mahrattah government, from the payment of the tax; and whereas it has appeared expedient to reviſe the liſt of perſons of low caſts detailed in Section VII, Regulation IV, 1809, to be diſqualified from entering the temple; the Vice Preſident in Council has been pleaſed to enact the following rules, which are to have effect from the period of the promulgation of this regulation.

Native military officers and ſepoys in certain caſes exempted from paying the tax and under what reſtrictions.

II. All native military officers and ſepoys who may be actually on duty within the limits of the Attarah Nullah, and of Lokenauth Ghaut, or attached to corps or detachments marching on ſervice through the town, are hereby exempted from the payment of the tax; but in order to their gaining admittance into the temple, it is neceſſary, that they ſhould produce to the collector of tax, an authority, or paſs from the commanding officer at the ſtation, or from his adjutant, notifying that they have obtained leave to enter the town for the purpoſe of performing their religious ceremonies. On the production of ſuch authority or paſs, the collector of the tax ſhall give immediate orders for their admittance into the temple.

The ſervants of European officers on duty at Juggunnauth alſo exempted.

III. The ſervants of European officers on duty at Juggunnauth, actually reſiding with their maſters within the Attarah Nullah, ſhall alſo be exempted from the payment of any tax.

Section XVIII, Regulation IV, 1809, as to the exemption of perſons reſiding within certain limits from paying the tax modified.

IV. *Firſt.* The exemption allowed by Section XVIII, Regulation IV, 1809, in favor of perſons born, or reſiding for ten years, within the Byturnee Nullah, and the Ganjam river, having at particular periods been found detrimental to the public revenue, and it having been aſcertained that under the Mahrattah government, ſuch perſons were not allowed to enter the town without the payment of a tax; the following modified rules reſpecting the exemption of the above perſons are enacted.

Exemption of certain perſons from paying the tax, reſtricted at particular times.

Second. During the Ruth and Dole Jattrahs, the exemption in favor of the perſons deſcribed in the preceding clauſe, is reſtricted to the reſidents, or perſons born within ten coſs of the town of Juggunnauth-pooree, or from Peeply to the North, and from Manickpatam to the South.

Third. At all other times of the year, the exemption hitherto allowed in favor of the reſidents as far as the Byturnee Nullah, or the Ganjam river, is continued.

Exemption continued at all other times.

Fourth. During the Ruth and Dole Jattrahs, the perſons living between Peeply and the Byturnee Nullah to the North, and between Manickpatam and the Ganjam river to the South, are to be ſubjected to the payment of the following rates of tax on their entering the ghauts at either of thoſe feſtivals:

Laul Jattries	1 rupee,
Nim Lauls	8 annas,
Bhurrungs	4 annas.

Rates of tax to be paid by ſuch perſons at the reſtricted periods.

Fifth. A Laul Jattry of the above deſcription is to be allowed the ſame privileges, as a Laul Jattry coming from any other part of the country, who ſhall have paid ten rupees.

Such Laul Jattries to be entitled to the ſame privileges as others paying the full tax.

Sixth. In like manner the Nim Lauls, and Bhurrungs are to be allowed the ſame privileges as perſons of the ſame deſcription who ſhall have paid a tax of five rupees, or of two rupees.

Such Nimlauls or Bhurrungs allowed the ſame privileges as others of ſimilar deſcriptions.

Seventh. It ſhall be optional to the reſidents within the limits abovementioned, to enrol themſelves under whichever claſs of pilgrims they may prefer, on payment of the preſcribed rate of tax, provided they be qualified to enter the interior of the temple.

Such perſons may enrol themſelves in what claſs they prefer if duly qualified.

V. *Firſt.* The following reviſed liſt of perſons coming within the fourth claſs of pilgrims denominated Punjtirthies, is ſubſtituted in lieu of the liſt detailed in Section VII, Regulation IV, 1809.

Liſt of Punjtirthies reviſed and ſubſtituted for that in Section VII, Regulation IV, 1809.

Second. Fourth claſs, or Punjtirthies, comprehending the following deſcriptions of perſons of low caſt who are not permitted to enter the temple:

1 Lolee or Kuſbee,
2 Cullal or Soonree,

3 Machooah,
4 Numoſooder or Chandal,
5 Ghooſkee,
6 Gazur,
7 Baugdee,
8 Joogee or Noorbauf,
9 Kaharbawry and Doolia,
10 Raujbunſee,
11 Chamaur,
12 Dhome,
13 Paun,
14 Teor,
15 Bhooinmalee,
16 Haddee.

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A. D. 1810. REGULATION XII.

A REGULATION *for modifying the rules contained in Section* II, *Regulation* VII, 1809; *and Section* VI, *Regulation* X, 1809.—PASSED *by the Vice Preſident in Council, on the* 4*th May* 1810; *correſponding with the* 23*d Byſaak* 1217 *Bengal era; the* 15*th Byſaak* 1217 *Fuſſily; the* 24*th Byſaak* 1217 *Willaity; the* 15*th Byſaak* 1867 *Sumbut; and the* 29*th Rubee ul Awul* 1225 *Higeree.*

Preamble.

WHEREAS by Section II, Regulation VII, 1809, the rule, which had been previouſly in force, requiring the ſignature of the ſuperintendent or his officers to be affixed on all ſtampt paper, was reſcinded, with a proviſion that ſuch reſciſſion ſhould not be conſtrued to prevent the ſale of any ſtampt paper which might have already been ſo authenticated, until the 1ſt January 1810: and whereas any limitation as to time with reſpect to the ſale of ſtampt paper ſo authenticated is unneceſſary; and whereas obſtacles have occurred to the general introduction of the new copper coinage into the province of Benares within the period preſcribed by Regulation X, 1809, the following rules have been enacted, to be immediately in force.

All ſtampt paper remaining in ſtore previouſly to the enactment of Regulation VII, 1809, to be admitted and filed in the courts of juſtice.

II. All ſtampt paper which may ſtill remain in ſtore authenticated according to the rules, exiſting previouſly to the enactment of Regulation VII, 1809, ſhall be admitted and filed in the courts of juſtice, in the ſame manner as if thoſe papers had not received ſuch authentication.

III.

Section VI, Regulation X, 1809, reſcinded.

III. Section VI, Regulation X, 1809, which preſcribes, that after the expiration of ſix months from the period of the promulgation of that regulation, no copper coin excepting that eſtabliſhed by the ſaid regulation, ſhall be conſidered to be a legal tender of payment, is hereby reſcinded, and the copper coin which has been hitherto current in the Province of Benares, ſhall continue to be received in diſcharge of all private and public demands, until the Governor General in Council, or Vice Preſident in Council, ſhall ſignify by proclamation, that an adequate ſupply of copper coin of the ſize and weight preſcribed by Section III, of that regulation, has been introduced into the province of Benares.

Copper coin hitherto current in the province of Benares ſhall continue to be received until further orders.

* * *

A. D. 1810. REGULATION XIII.

A REGULATION *for expediting the trial and deciſion of cauſes depending in the civil courts; and for promoting the amicable adjuſtment of civil ſuits* —PASSED *by the Vice Preſident in Council, on the 4th May* 1810; *correſponding with the* 23*d Byſaak* 1217 *Bengal era; the* 15*th Byſaak* 1217 *Fuſſily; the* 24*th Byſaak* 1217 *Willaity; the* 1*ſt Byſaak* 1867 *Sumbut; and the* 29*th Rubee-ul-Awul* 1225 *Higeree.*

Preamble.

BY the regulations in force two judges of a provincial court of appeal, and of the court of Sudder Dewanny Adawlut, are required to form a court, competent to the deciſion of any original cauſe, or appeal, and it is provided that no decree, or final order, of thoſe courts, ſhall be valid, unleſs paſſed by two judges, preſent in court. An accumulation of appeals in many of the provincial courts, and the original juriſdiction veſted in thoſe courts by Regulation XIII, 1808, in all regular ſuits the cauſe of action in which may exceed five thouſand ſicca rupees, make it neceſſary that the rule above mentioned ſhould be modified to admit of daily ſittings of the provincial courts, before one or more judges of thoſe courts. A conſiderable addition to the general buſineſs of the court of Sudder Dewanny Adawlut, renders it equally expedient that a ſimilar proviſion ſhould be extended to that court. An accumulation of appeals from the deciſions of the native commiſſioners, in many of the zillah and city courts, makes it further neceſſary to modify ſuch part of the regulations in force as requires the judges of thoſe courts to hear, themſelves, all appeals from the deciſions of the native commiſſioners, within their reſpective juriſdictions. And with a view to promote the amicable adjuſtment of civil ſuits, in all the courts of judicature, it is expedient to provide for a return of the inſtitution fee, when ſuch ſuits may be adjuſted by razeenamahs filed before the pleadings are completed and read, or by returning a moiety of it when a razeenamah may be filed after the completion and peruſal of the pleadings. The following rules are accordingly enacted, to be in force, as ſoon as promulgated, in the whole of the provinces immediately ſubject to the preſidency of Fort William.

Modification of exiſting regulations, which require that two judges of a provincial court of appeal ſhall be neceſſary to hold a court.

II. *Firſt.* Such part of the exiſting regulations as provides that two judges of a provincial court of appeal ſhall be neceſſary to hold a court of appeal, and that no decree of a provincial court ſhall be valid, unleſs paſſed by two judges preſent in court, is hereby declared ſubject to the following modification.

In what caſes a ſingle judge of the provincial court may hold a ſitting of the court.

Second. Whenever, from the abſence, or indiſpoſition, of one or more of the judges of a provincial court of appeal, or from vacancy, or any other unavoidable cauſe, the regular ſittings of a provincial court, cannot be held before two or more judges of ſuch court, it ſhall be competent to a ſingle judge to hold the regular ſittings of the court; and to paſs orders, or judgment, in conformity with the regulations, ſubject to the following proviſions.

Proviſion when the ſingle judge may be of opi-

Third. In the trial of appeals from the deciſions, or orders, of the judges, aſſiſtant judges, or regiſters, of the zillah and city courts, if a ſingle judge of the provincial court ſitting upon the appeal, ſhall be of opinion that the deciſion, or order, appealed againſt, ought to be reverſed, or altered, he ſhall not paſs any decree or final order thereupon, until one or more of the other judges of the provincial court can ſit with him upon the appeal in queſtion.

nion that a deciſion, or order, appealed againſt ſhould be reverſed, or altered.

Fourth. No judge of a provincial court ſhall ſit on the trial of an appeal from a judgment, or order, paſſed by himſelf.

Further proviſion, that no judge ſhall ſit on an appeal from a judgment, or order, paſſed by himſelf.

III. Deciſions of a ſingle judge of a provincial court, paſſed in conformity with the foregoing ſection, ſhall have the ſame operation and effect, as deciſions paſſed by two or more judges of a provincial court, under the regulations in force; and ſhall be conſidered appealable, or not, to the court of Sudder Dewanny Adawlut, according to the general rules preſcribed by thoſe regulations.

Deciſions of a ſingle judge, paſſed in conformity with the foregoing ſection, to have the ſame operation and effect as deciſions of two or more judge of a provincial court.

IV. *Firſt.* The rules contained in Regulation I, 1807, for defining the "duties to be performed, and powers exerciſed, "by ſingle judges of the provincial courts of appeal in the "abſence of the other judges of the court," ſhall be conſidered applicable to ſingle judges of the provincial courts holding ſittings under the preſent regulation with the following modifications.

Rules contained in Regulation I, 1807, applicable to ſingle judges of provincial courts holding ſittings under the preſent regulation, with modifications.

Second. The ſitting judge may perfect interlocutory decrees and orders paſſed by himſelf in conformity with Section II, of this regulation, or by any other judge or judges of a provincial court, in purſuance of the regulations in force. Provided that it ſhall not, in any caſe whatever, be competent to a ſingle judge to reverſe or alter the decree, or order, of any other judge, or judges of a provincial court.

Sitting judge may perfect interlocutory decrees and orders paſſed in conformity with Section II, of this regulation. Proviſo, againſt alteration of decrees or order of any other judge or judges of the provincial court.

Third.

In what caſes the ſitting judge may determine, in the firſt inſtance, on admiſſion, or rejection of appeals to the provincial courts.

Third. The ſitting judge may determine, in the firſt inſtance, upon the admiſſion or rejection of appeals to the provincial court, (excepting caſes in which the judgment, or order, appealed from, may have been paſſed by himſelf) ſubject to the appeal allowed by the regulations to the court of Sudder Dewanny Adawlut, in all caſes wherein a provincial court may refuſe to admit an appeal on the ground of delay, informality, or other default. The ſitting judge may alſo determine, on the admiſſion or rejection of all applications for ſpecial appeals to the provincial court except in caſes, wherein he may have himſelf paſſed the judgment, or order, appealed from.

Sitting judge may paſs orders on admiſſion of evidence, examination of witneſſes, and other points connected with the trial of ſuits before the court, ſubject to the proviſion in Section VII, Regulation I, 1807.

Fourth. On the trial of an original cauſe inſtituted before a provincial court, as well as on the hearing of appeals to that court, it ſhall be competent to a ſingle judge, holding a ſitting of the court under this regulation, to paſs ſuch orders as he may deem juſt, and conſiſtent with the regulations, reſpecting the admiſſion of evidence, examination of witneſſes, and all other points connected with the trial of the ſuit before the court, ſubject to the proviſion contained in Section VII, Regulation I, 1807; whereby the provincial court at large, or any two judges of the court, are declared at liberty to re-examine witneſſes, whoſe depoſitions may have been taken before a ſingle judge, if it appear requiſite; to examine any other witneſſes in the cauſe; and generally to paſs any order that may appear proper and conſiſtent with the regulations, whether in addition to, or in qualification, or abrogation of, any previous order of a ſingle judge.

A ſingle judge may commit, or hold to bail, for trial before a court of circuit witneſſes guilty of perjury in caſes brought before him.

Fifth. In the event of a witneſs, in a caſe brought before a ſingle judge under this regulation, appearing guilty of wilful perjury, as defined in Section IV, Regulation II, 1807, it ſhall be competent to the ſitting judge to order that ſuch witneſs be committed, or held to bail, for trial before the court of circuit.

Sixth.

Sitting judge may proceed, as the provincial court at large are empowered to proceed, upon miſcellaneous petitions, under reſtrictions ſtated in this regulation.

Sixth. A ſingle judge, holding a ſitting of the provincial court under this regulation, may receive miſcellaneous petitions, relative to matters depending before, or decided by any zillah or city court, in all caſes wherein the provincial courts are authorized to receive ſuch petitions; as well as all other petitions which the provincial courts are authorized by the regulations to receive; and to proceed thereupon as the provincial courts are empowered to proceed; under the reſtrictions ſtated in this regulation.

Rule for a daily ſitting of the provincial courts under proviſions of this regulation.

V. Under the proviſions of this regulation, the ſittings of the provincial courts ſhall be held daily (Sundays, eſtabliſhed holidays, and authorized vacations excepted) before one or more of the judges of thoſe courts, or if any circumſtance, (except the intervention of Sundays, holidays and vacations) ſhould prevent a daily ſitting for two days ſucceſſively, the ſame ſhall be reported for the information of the Sudder Dewanny Adawlut.

Modification of exiſting regulations which provide that two judges of the Sudder Dewanny Adawlut ſhall be neceſſary to hold a court.

VI. *Firſt.* Such part of the exiſting regulations as provides that two judges of the court of Sudder Dewanny Adawlut, ſhall be neceſſary to hold a court, and that no decree or final order of the court ſhall be valid unleſs paſſed by two judges preſent in court, is hereby declared ſubject to the following modification.

In what caſe a ſingle judge of the Sudder Dewanny Adawlut may hold a ſitting of that court.

Second. Whenever, from the indiſpoſition or abſence, of one or more of the judges of the Sudder Dewanny Adawlut, or from vacancy or any other unavoidable cauſe, the regular ſittings of that court cannot be held before two or more judges of the court, it ſhall be competent to a ſingle judge of the Sudder Dewanny Adawlut to hold a ſitting of that court, and to paſs orders, or judgment, in conformity with the regulations, ſubject to the following proviſions.

Third.

Proviſo, when the ſingle judge may be of opinion that a deciſion, or order, appealed againſt ſhould be reverſed, or altered.

Third. In the trial of appeals from deciſions or orders of any provincial, zillah, or city court, if a ſingle judge of the Sudder Dewanny Adawlut, ſitting upon the appeal, ſhall be of opinion, that the deciſion, or order, appealed againſt, ought to be reverſed, or altered, he ſhall not paſs any decree, or final order thereupon, until one or more of the other judges of the court can ſit with him upon the appeal in queſtion.

Further proviſion, that no judge ſhall ſit on an appeal from a judgment or order paſſed by himſelf.

Fourth. No judge of the Sudder Dewanny Adawlut ſhall ſit upon the trial of an appeal from a judgment or order, paſſed by himſelf.

Deciſions and orders of a ſingle judge of the Sudder Dewanny Adawlut, paſſed in conformity with foregoing ſection, to have the ſame operation and effect, as deciſions and orders of the court at large.

VII. Deciſions and orders of a ſingle judge of the court of Sudder Dewanny Adawlut, paſſed in conformity with the foregoing ſection, ſhall have the ſame operation and effect, as deciſions and orders paſſed by two or more judges of that court under the regulations in force.

A ſingle judge of the Sudder Dewanny Adawlut may exerciſe the ſame powers, and perform the ſame duties as the ſitting judge of a provincial court.

VIII. *Firſt.* A ſingle judge of the Sudder Dewanny Adawlut, holding a ſitting of that court, may perform the ſame duties, and exerciſe the ſame powers, as a ſingle judge of a provincial court is authorized to perform and exerciſe, by Section IV, of this regulation, with the following modification of Clauſe Third.

And may determine on the admiſſion or rejection of all applications for appeals; except in caſes decided by himſelf.

Second. The ſitting judge may determine, on the admiſſion or rejection, of all applications for appeals, whether regular or ſpecial, to the court of Sudder Dewanny Adawlut, except in caſes, wherein the judgment, or order appealed from may have been paſſed by himſelf.

A ſingle judge reſtricted from reverſing, or altering, in any caſe, the deciſion, or order, of two or more judges of the court.

Third. Provided that it ſhall not, in any caſe, be competent to a ſingle judge of the Sudder Dewanny Adawlut to reverſe, or alter, the deciſion or order, of two or more judges of the court.

XI.

Modification of rule which requires that the judges of the zillah, and city courts, ſhall hear all appeals from the deciſions of the native commiſſioners.

IX. *Firſt.* Such part of Section XXII, Regulation XLIX, 1803, or of any other regulation in force, as requires the judges of the zillah and city courts to hear, themſelves, all appeals from the deciſions of the native commiſſioners within their reſpective juriſdictions, is hereby declared ſubject to the following modification.

In what caſe the judge may refer appeals from the moſuſſil native commiſſioners to the ſudder ameen, or to one of the law officers, empowered to act as head referee.

Second. Whenever the number of appeals from the deciſions of the moſuſſil native commiſſioners, in any zillah or city, may be ſuch as cannot be ſpeedily heard and determined by the zillah or city judge, without impeding the inveſtigation and deciſion of other cauſes depending before him, he is authorized and required to refer ſuch appeals for inveſtigation and deciſion, to the ſudder ameen appointed under Section IX, Regulation XLIX, 1803, (or in the ceded and conquered provinces under Section XXVI, Regulation XVI, 1803,) or to one of his law officers empowered to act as head referee, by Regulation XV, 1805.

Decree of the ſudder ameen, or law officer, upon appeals ſo referred, to be final; ſubject only to the general proviſions for ſpecial appeals.

Third. In appeals referred under this ſection to a ſudder ameen, or to a law officer acting as head referee, his deciſion upon the appeal ſhall be final; unleſs the zillah or city judge ſee ground to admit a ſpecial appeal, under the general proviſions for ſpecial appeals, in all caſes wherein a regular appeal is not open.

Fee receivable by the ſudder ameen, or law officer, on deciding upon the merits of appeals referred to them under the preceding ſection.

X. The ſudder ameens, and law officers acting as head referees, to whom appeals may be referred under the preceding ſection, ſhall, on deciding the ſame upon inveſtigation of the merits of the caſe, be entitled to the ſame fee as they are allowed by the regulations in force upon the trial and deciſion of original ſuits. But no ſudder ameen, or law officer, ſhall be entitled to receive any part of the inſtitution fee upon appeals diſmiſſed on account of the appellant's non-attendance, or any other default, or ground of nonſuit, without a determination

Not receivable upon appeals diſmiſſed on default, or any ground of nonſuit, without a determination of the merits of the caſe.

of

Proviſions in following ſection applicable in caſes of adjuſtment by razeenamahs.

of the merits of the caſe. When the cauſe in appeal may be adjuſted by a razeenamah, the proviſions contained in the following ſection will be applicable.

In what caſes of adjuſtment, by razeenamahs, the entire inſtitution fee is to be returned to the party who may have paid the ſame, or to his repreſentative.

XI. *Firſt.* With a view to encourage the adjuſtment of depending ſuits and appeals by razeenamahs of the parties, it is hereby declared that, in all inſtances, after the promulgation of this regulation, of the adjuſtment of an original ſuit, or appeal, by a razeenamah, filed before the pleadings are completed and read, whether the cauſe be depending before a native commiſſioner, ſudder or mofuſſil, or before the judge, aſſiſtant judge, or regiſter, of a zillah or city court, or before a provincial court, or the court of Sudder Dewanny Adawlut, the entire inſtitution fee paid upon the cauſe, ſo adjuſted, ſhall be returned to the party who may have paid the ſame, or to his legal repreſentative.

In what caſes a moiety of the inſtitution fee ſhall be returned.

Second. In the event of the razeenamah being filed after the pleadings are completed and read, a moiety of the inſtitution fee ſhall be returned to the party who may have paid the ſame, or to his legal repreſentative; and the remaining moiety, if the cauſe be depending before a native commiſſioner, or the regiſter of a zillah or city court, ſhall be paid to ſuch officer as provided by Sections III and IV, Regulation XLIII, 1803; and by Sections VII and XI, Regulation XLIX, 1803.

A. D. 1810. REGULATION XIV.

A REGULATION *for defining the powers of the court of Nizamut Adawlut, in caſes of pardon and mitigation of puniſhment; and for declaring the competency of the courts of circuit, to admit priſoners to bail, in certain caſes, during a reference of their trials to the Nizamut Adawlut.*—PASSED *by the Governor General in Council, on the 6th July* 1810; *correſponding with the* 24*th Aſſaur* 1217 *Bengal era; the* 19*th Aſſaur* 1217 *Fuſſily; the* 25*th Aſſaur* 1217 *Willaity; the* 4*th Aſſaur* 1867 *Sumbut; and the* 3*d Jamadee-us-Sanee* 1225 *Higeree.*

Preamble.

UNDER the proviſions of Sections II, and VII, Regulation LIII, 1803, it has appeared doubtful, whether the caſes of priſoners before the court of Nizamut Adawlut, who are declared by the law officers not liable to a ſentence of hudd, or kiſas, under the ſpecific rules of the Mahomedan law, but who are liable to a ſentence of death under the amendments of the Mahomedan law enacted by the regulations, and appear to the Nizamut Adawlut to be proper objects of mercy, ſhould be ſubmitted to the Governor General in Council, with a recommendation of mercy from the court; or whether the court of

Nizamut Adawlut may itſelf remit or mitigate the preſcribed puniſhment. A doubt has alſo been entertained, whether the judges of the courts of circuit are competent to hold to bail, priſoners charged with heinous offences, whoſe trials are referrible to the Nizamut Adawlut, when the judge may not concur with the law officers in the conviction of the priſoner. With a view therefore to remove all doubt, in ſuch caſes, and in thoſe beforementioned, as well as to ſave the neceſſity of a reference to the Governor General in Council, in any caſe (except the trial of perſons charged with crimes againſt the State) wherein it may appear to the judges of the Nizamut Adawlut juſt and proper to grant a remiſſion, or mitigation of puniſhment; or to authorize a conditional offer of pardon to one or more perſons ſuppoſed to be concerned in, or privy to, any crime of a heinous nature, for the purpoſe of diſcovering, apprehending, or convicting, the principal offender, or offenders, reſerving at the ſame time to the chief executive authority a diſcretionary exerciſe of the ſame powers; the Governor General in Council has enacted the following rules, to be in force, as ſoon as promulgated, in all the provinces immediately ſubject to this Preſidency.

Proviſions in exiſting regulations, which require a reference from the Nizamut Adawlut to government, for obtaining a pardon, or mitigation of puniſhment, reſcinded.

Excepting ſuch as relate to perſons charged with crimes againſt the ſtate.

II. Regulation VI, 1796; Clauſe Fifth, Section XIII, Regulation I, 1796; Sections XIX, XX, and XXI, Regulation VIII, 1803; and all other proviſions in the exiſting regulations, (excepting ſuch as relate to perſons charged with crimes againſt the State,) which require a reference from the court of Nizamut Adawlut to the Governor General in Council, for the purpoſe of obtaining a pardon, or mitigation of puniſhment, to perſons charged with, or convicted of, any criminal offence, are hereby reſcinded.

In what caſes the court of Nizamut Adawlut may grant a remiſſion, or mitigation of puniſhment, in trials before that court.

III. In all criminal trials before the court of Nizamut Adawlut (except for crimes againſt the State, in which caſes the proceedings held upon the trial are required by Section V, Regulation IV, 1799; and Section V, Regulation XX, 1803; to be ſubmitted, with the ſentence of the court, for the orders of Government,) if the futwa of the law officers of the Nizamut Adawlut, or the ſentence of an aſſembly of hill chiefs in zillah Boglepore, (held under the provisions of Regulation I, 1796,) ſhall declare a priſoner, or priſoners, liable to a more ſevere puniſhment, than on due conſideration of the evidence, and all the circumſtances of the caſe, may appear to the court of Nizamut Adawlut, to be juſt; or if a priſoner, or priſoners, (not charged with a crime againſt the State) ſhall in any caſe before the court of Nizamut Adawlut under the proviſions of the laws and regulations in force, be liable to a more ſevere puniſhment, than may appear to the court equitable, though not ſpecifically declared by the ſutwa of the law officers, or ſentence of the hill chiefs in zillah Boglepore; it ſhall be competent to two or more judges of the court of Nizamut Adawlut to grant ſuch remiſſion, or mitigation of puniſhment, as may appear juſt and proper, according to the evidence and circumſtances of the caſe, and to paſs ſentence accordingly; provided that in all ſuch caſes the court of Nizamut Adawlut ſhall record the grounds upon which a remiſſion or mitigation of puniſhment may be adjudged, under the diſcretion hereby veſted in that court; and ſhall communicate the ſame to the court of circuit (or magiſtrate of zillah Boglepore,) before whom the trial may have been held, with directions to cauſe the ſame to be made known, in open court, to the priſoner, or priſoners, concerned.

Grounds of remiſſion, or mitigation, to be recorded in ſuch caſes.

And to be communicated for notification to the priſoners in open court.

IV. The powers veſted in the Nizamut Adawlut, by the preceding Section ſhall be conſidered applicable to all caſes in which that court may reviſe a ſentence paſſed by a court of circuit, or zillah or city magiſtrate, or aſſiſtant to a magiſtrate, in purſuance of Section XXIV, Regulation IX, 1807; or under any other proviſion in the Regulations. It is alſo declared applicable to any caſes in which the court of Nizamut Adawlut, may ſee reaſon to reviſe a ſentence paſſed by that court, and to remit any part of the puniſhment adjudged. But this diſcretion

Powers veſted in Nizamut Adawlut, by preceding ſection, declared applicable to reviſed ſentences of the courts of circuit, magiſtrates or aſſiſtants to the magiſtrates.

Alſo to caſes in which the Nizamut Adawlut, may ſee reaſon to reviſe a ſentence paſſed by that court.

Caution to be

ſhall

observed in the exercise of this discretion.

ſhall not be exerciſed without ſtrong, and ſufficient grounds, to be recorded at large upon the proceedings of the court.

In what caſes the Nizamut Adawlut may authorize the conditional offer of a pardon to one or more perſons ſuppoſed to have been concerned in, or privy to a heinous offence, with a view to the diſcovery, apprehenſion, or conviction, of the principal offenders.

V. *Firſt.* In caſes of a heinous nature, ſuch as murder, robbery, and arſon, when the principal offender, or offenders, may not have been apprehended and convicted; the court of Nizamut Adawlut, if it appear adviſable with a view to the diſcovery, apprehenſion, or conviction, of the principal offender, or offenders, may authorize the offer of a pardon to one or more perſons ſuppoſed to have been directly or indirectly concerned in, or privy to, the offence, on condition of their making a full diſcloſure of the whole of the facts and circumſtances within their knowledge, relative to the crime committed, and the perſons concerned in the perpetration of it; and on ſuch condition being fulfilled, ſhall confirm the pardon ſo tendered by a written certificate under the ſeal of the court, and ſignature of the regiſter, to be delivered to the party entitled thereto.

And pardon how to be confirmed in ſuch caſes, in fulfilment of the conditions of it.

Magiſtrates, and judges of circuit, how to proceed, when it may appear expedient to offer a conditional pardon for the purpoſe ſtated.

Second. The zillah and city magiſtrates, and the judges of the courts of circuit, who may think it expedient to make a conditional offer of pardon, in any inſtance, for the purpoſe above ſtated, ſhall report the ſame, for the conſideration of the court of Nizamut Adawlut, with all information obtained reſpecting the privity, or other criminality, of the perſon for whom the pardon is propoſed; and ſo much of the circumſtances of the caſe as may be neceſſary to enable the court of Nizamut Adawlut to determine upon the expediency of authorizing the conditional pardon recommended.

Police darogahs, and other native officers, prohibited from encouraging any perſons to confeſs a criminal charge, or make any diſcovery relative thereto, in expectation of a pardon, or mitigation of puniſhment.

Third. No police darogah, or other native officer, ſhall on any occaſion, or under any pretext whatever, encourage a perſon apprehended upon a criminal charge, to confeſs the ſame, or to make any diſcovery relative thereto, in expectation of obtaining thereby a pardon, or mitigation of puniſhment; and the zillah and city magiſtrates are prohibited from holding out any encouragement of this nature, without obtaining the previous ſanction of the Nizamut Adawlut, except in caſes of an atrocious nature, and the moſt urgent neceſſity, which may not admit of ſuch previous reference without endangering the eſcape of the principal offender or offenders.

And magiſtrates not to hold out any ſuch encouragement, without the previous ſanction of the Nizamut Adawlut, except in ſpecial caſes of urgent neceſſity.

VI. Nothing contained in this, or any other regulation, ſhall be underſtood to preclude the Governor General in Council from the exerciſe of the power reſerved to the chief executive authority in all caſes when it may appear proper, to pardon any perſon charged with, or convicted of, a criminal offence. In all ſuch caſes, a letter from the ſecretary to the government in the judicial department, addreſſed to the regiſter of the Nizamut Adawlut, or to any zillah or city magiſtrate, or to any other local authority, ſhall be deemed a ſufficient voucher of the pardon thereby notified, and ſhall be obſerved accordingly.

Powers reſerved to the Governor General in Council, to pardon any perſon charged with, or convicted of, a criminal offence.

What to be deemed a ſufficient voucher of the order of government in ſuch caſes.

VII. By the Second Clauſe of Section IX, Regulation IX, 1807, the courts of circuit are empowered to inſtruct the zillah and city magiſtrates to accept ſufficient bail, from perſons charged with offences not bailable under the general proviſions contained in the regulations, whenever they may ſee ſpecial cauſe for ſo doing. The judges of the courts of circuit are further hereby declared competent to hold to bail, or to direct the magiſtrates to admit to bail, any priſoner or priſoners, whoſe trials may be referrible to the court of Nizamut Adawlut, in conſequence of the judge of circuit not concurring in the futwa of the law officer, for the conviction of the priſoner. When the priſoner may not be able to find bail, in ſuch caſes the judge of circuit ſhall, with the leaſt poſſible delay, tranſmit the proceedings held upon the trial, with a letter ſtating the grounds on which he may not concur in the futwa of the law officers, to the court of Nizamut Adawlut; and the law officers of that court ſhall deliver their futwa, as ſoon as poſſible after the receipt of the trial, for the early ſentence, or order, of the court.

Power of inſtructing magiſtrates to admit bail in ſpecial caſes, veſted in courts of circuit, by Section IX, Regulation IX, 1807.

In what caſes judges of circuit, may hold to bail or direct magiſtrates to admit to bail, priſoners, whoſe trials are referrible to the Nizamut Adawlut.

Rule to be obſerved when the priſoner may not be able to find bail.

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A. D. 1810. REGULATION XV.

A REGULATION *for levying a tax on houſes in certain cities and towns in the provinces of Bengal, Behar, Oriſſa, and Benares.*—PASSED *by the Governor General in Council, on the 6th October 1810; correſponding with the 21ſt Aſſin 1217 Bengal era; the 23d Aſſin 1218 Fuſſily; the 22d Aſſin 1218 Willaity; the 8th Aſſin 1867 Sumbut; and the 6th Ramzan 1225 Higeree.*

Preamble.

THE Governor General in Council having reſolved, with a view to the improvement of the public reſources, upon extending to the ſeveral cities and principal towns in the provinces of Bengal, Behar, Oriſſa, and Benares, the tax which for a conſiderable period, has been levied on houſes, ſituated within the town of Calcutta; the following rules have been enacted for the collection of the tax, to be in force from their promulgation.

Collectors of revenue intruſted with the collection of the tax on houſes.

II. The collectors of the land revenue of the ſeveral zillahs, aſſiſted by native officers to be appointed by them, ſhall be intruſted with the collection of the tax on houſes.

Board of Revenue and Board of Commiſſioners inveſted with a general control.

III. The Board of Revenue and Board of Commiſſioners reſpectively, ſhall be inveſted with a general control over the collectors in the diſcharge of the duties intruſted to them, by this regulation.

IV.

What cities and towns ſubject to the tax, and how limits are to be fixed.

IV. All cities and towns, in which a collector of the land revenue is ſtationed, ſhall be ſubject to this impoſt in the firſt inſtance, and the limits of ſuch cities and towns, ſhall be the ſame as thoſe fixed under Regulation X, 1810, for the town duties.

The tax ſhall extend to the ſuburbs of Calcutta to be collected by the collector of the 24-Pergunnahs.

V. This tax ſhall alſo extend to the ſuburbs of Calcutta, as defined in Clauſe Second, Section XXVIII, Regulation X, 1810, and ſhall be levied therein under the ſuperintendence of the collector of the 24-pergunnahs.

All religious edifices exempted from the tax.

VI. *Firſt.* All religious edifices are hereby declared to be exempt from the payment of the tax on houſes.

Houſes &c. of the military within the limits of military cantonments, exempted from the tax.

Second. All houſes, bungalows, or other buildings, ſituated within the limits of the military cantonments, and occupied by the European and native officers, or by the ſoldiers and ſepoys of His Majeſty's and the Company's army, ſhall be exempted from the payment of the tax eſtabliſhed by this regulation; but this exemption ſhall not be conſtrued to extend to other houſes or to ſhops, ſituated in cantonments within the limits of cities and towns ſubject to the tax.

Native aſſeſſors to be appointed with ſalaries.

VII. *Firſt.* A native aſſeſſor or aſſeſſors, as may be deemed convenient and proper, ſhall be appointed in each city and town, and in the ſuburbs of Calcutta by the collector, ſubject to the approbation of the Board of Revenue and Board of Commiſſioners reſpectively, to adjuſt the aſſeſſment on the houſes, in conformity to the rules eſtabliſhed by the preſent regulation, with ſuch ſalary as government on the report of thoſe Boards reſpectively may think proper to allow.

Native receivers to be appointed to realiſe the tax; who ſhall be remunerated by a commiſſion on their receipts, and ſhall give ſecurity.

Second. In like manner a ſeparate native receiver or receivers, as may be deemed convenient and proper, ſhall be appointed by the collectors, ſubject to the approval of the Board of Revenue and Board of Commiſſioners reſpectively, to realize the tax according to the aſſeſſment, which may be annually fixed under the preſent regulation. Receivers ſo appointed ſhall be remunerated by ſuch commiſſion on their actual receipts, as the Governor General in Council on the report of the abovementioned Boards may think proper to grant: Perſons appointed under this regulation to the office of receiver of the tax, ſhall give ſecurity (malzamun) to the amount of a fourth part of their computed annual collections.

Cities and towns to be divided into wards.

Third. Whether there be one or more aſſeſſor and receiver in the different cities, towns, &c. to which the proviſions of this regulation are applicable; the ſame ſhall be divided into wards according to the extent and population of the different quarters; and the houſes of the ſeveral ſtreets or bazars in each ward ſhall be numbered. The collectors in carrying this arrangement into effect, are required to adhere as cloſely as the nature of the caſe will admit, to the diviſion already made of ſuch places into police tannahs or wards.

Aſſeſſors and receivers to take the following oath.

Fourth. The aſſeſſors and receivers reſpectively of the houſe tax, previouſly to entering upon the execution of their duties, ſhall take and ſubſcribe the following oath before the collector.

Oath.

"I A. B. appointed to aſſeſs (or collect) the houſe tax for the year ———, in diviſion (or ward,) No. ———, of the city or town of ————, ſwear, that I will aſſeſs (or collect) the tax on houſes fairly and impartially according to the rules preſcribed in Regulation XV, 1810, and that I will render a true account of the ſame, to the collector of zillah ————."

Rule as to perſons exempted from taking oaths.

Fifth. If the aſſeſſor or receiver ſhould be of a rank or caſt to entitle him to be exempted from taking an oath, he ſhall make and ſubſcribe a ſolemn declaration to the ſame effect.

Deſcription of houſes ſubject

Sixth. Dwelling houſes of every deſcription, with the exception to the tax and rate of aſſeſſment.

tion of ſhops, whether of ſtraw, mud, brick or ſtone, or whatever be the materials of which they may be conſtructed, ſhall reſpectively be aſſeſſed at the rate of five per cent on the annual rent, which they may yield to the proprietor. In caſes in which ſuch houſes may be occupied by the proprietors themſelves, or in which no rent may be received for them from the occupants, the tax ſhall be adjuſted from a conſideration of the rent actually paid for other houſes of the ſame ſize and deſcription in the neighbourhood.

Houſes occupied as ſhops for the ſale of goods, how to be aſſeſſed.

Seventh. Houſes occupied as ſhops, that is for the ſale of goods, whether by wholeſale or retail, ſhall be aſſeſſed at the rate of ten per cent on the annual rent which they may yield to the proprietor: and in caſes in which ſuch houſes may be occupied by the proprietors themſelves, or in which no rent may be received from the occupant, the tax ſhall be adjuſted in the manner ſtated in the preceding clauſe, with the difference eſtabliſhed by this proviſion in regard to the rate of aſſeſſment on ſhops.

No tax to be levied on empty houſes.

Eighth. No tax whatever ſhall be levied on account of empty houſes. The proprietors however in order to entitle themſelves to this exemption, ſhall report the caſe, as often as it may occur, to the collector, who after making ſuch enquiries as he may deem neceſſary through the aſſeſſor or receiver, or through any other channel, with the view of aſcertaining whether the houſe is actually vacant or not, will decide whether the proprietor is juſtly entitled to the exemption claimed from the payment of the tax or otherwiſe. Houſes exempted under this rule from the payment of the tax, ſhall be of courſe liable to be re-aſſeſſed, whenever they may be again occupied.

Collectors to furniſh abſtract ſtatements of aſſeſſment.

VIII. As ſoon as the aſſeſſment of a city or town ſhall have been completed; the collector ſhall furniſh an abſtract ſtatement of it, with ſuch further information on the ſubject as may be requiſite, For the approval of the Board of Revenue or Board of Commiſſioners reſpectively.

requiſite, or be called for, to the Board of Revenue or to the Board of Commiſſioners for their approbation; and upon the aſſeſſment being generally approved by thoſe Boards reſpectively, the collection of the tax ſhall be commenced.

Annual reviſions of the aſſeſſments to be made and ſubmitted for the ſanction of the Boards reſpectively.

IX. The collector, with the aid of the aſſeſſor, ſhall annually reviſe the aſſeſſment, taking the former aſſeſſment as the baſis of the new one, and making ſuch alterations as may appear either from the improvement or decline in the value of the houſes or ſhops to be juſt and proper; and all ſuch reviſed aſſeſſments ſhall be ſubmitted for the ſanction of the Board of Revenue and Board of Commiſſioners reſpectively.

How perſons diſſatiſfied with the aſſeſſment ſhall proceed.

X. *Firſt.* Any perſon who may be diſſatiſfied with the aſſeſſment fixed on his habitation or ſhop by the aſſeſſor, ſhall in the firſt inſtance repreſent the circumſtance to the collector, who will modify the aſſeſſment if it appears to him neceſſary and proper.

May appeal to the judge ſhould they be diſſatiſfied with the collector's deciſion.

Second. Should the collector refuſe to reduce the aſſeſſment, or the party remain diſſatiſfied with his proceedings, he ſhall be allowed an appeal to the judge; and the judge after a ſummary inveſtigation, ſhall either confirm or modify the aſſeſſment as may appear to be equitable.

Judges deciſion to be final, except in particular caſes.

Third. The deciſion of the judge ſhall be conſidered final, excepting in caſes in which particular circumſtances may appear to the ſuperior courts to render the admiſſion of a ſpecial appeal neceſſary.

Judges may impoſe fines in caſes of groundleſs or litigious appeals.

XI. To diſcourage litigious appeals, the judges are hereby authorized to impoſe a fine, according to the circumſtances of the caſe, and to the condition of the party, on perſons whoſe objections to the aſſeſſment may prove on inveſtigation, to be evidently groundleſs, and litigious.

XII.

Tax to be collected quarterly, and receipts to be granted, ſigned by the collector, who may levy the amount by diſtraint, ſhould payment be refuſed or evaded.

XII. *Firſt.* The tax ſhall be collected quarterly by the native receiver, who ſhall tender a receipt ſigned by the collector to the occupant of the houſe or ſhop for the amount of the quarterly aſſeſſment payable by him. Should the payment be refuſed or evaded; the receiver ſhall report the circumſtance to the collector, who is hereby empowered, after ſatisfying himſelf of the truth of the report of the receiver, to iſſue his warrant, to levy the arrear by diſtreſs of the property of the occupant or proprietor. In caſes of this nature, the perſonal effects of the occupant ſhall in the firſt inſtance be alone liable to be ſold for the recovery of the arrear of tax; but if the proceeds of the ſale of ſuch effects be inſufficient for the diſcharge of the demand, the reſidue ſhall be recovered by the diſtreſs and ſale of the goods, and chattels of the proprietor, ſhould he fail to diſcharge the demand, on notice to do ſo, in five days, which in ſuch caſes is to be iſſued to him by the receiver. The principle of this rule is of courſe to be obſerved in caſes in which the tenant and proprietor may be the ſame perſon.

Under what rules ſuch diſtraints are to be conducted.

Second. The diſtraint authorized in the preceding clauſe, ſhall be conducted under the ſeveral rules and reſtrictions preſcribed in the regulations in regard to diſtraints for arrears of rent, as far as the ſame may be applicable; and any perſon aggrieved thereby will be entitled to redreſs by an action for damages againſt the aſſeſſor in the dewanny adawlut: and any native receiver who may be guilty of any improper, or undue exerciſe of the power veſted in him by this ſection, or of any undue exaction whatever, contrary to this regulation, will be liable in the firſt inſtance to diſmiſſion from his office under the proviſions of Regulation V, 1804; and Regulation VIII, 1809.

Collectors allowed commiſſion of 5 per cent on the net amount realized.

XIII. The collectors ſhall be allowed a commiſſion of five per cent on the amount of the tax realized by them after defraying the neceſſary charges of the eſtabliſhments which they may be authorized to entertain.

Complaints againſt the collectors to be proceeded upon in the ſame manner as thoſe againſt collectors of revenue.

XIV. Complaints and ſuits againſt the collectors for acts done by them under this regulation, ſhall be proceeded upon in the ſame manner as if the acts complained of had been done by them in their capacity of collectors of the land revenue.

No perſon liable to a charge for peons except in the execution of proceſs under Section XII.

XV. As the aſſeſſors and receivers will be furniſhed with an adequate number of peons from the eſtabliſhment of the collector, no perſon ſhall be liable to any charge in the performance of the duties of thoſe officers reſpectively; but whenever the collector may be under the neceſſity of iſſuing againſt a defaulter the proceſs mentioned in Section XII of this regulation, ſuch defaulter ſhall be liable to the ordinary charge of tulbana, on account of any extra peons employed in the execution of the ſaid proceſs. No perſon ſhall be ſubject to arreſt, detention, or confinement, but under proceſſes iſſuing from the courts of judicature.

No perſon to be arreſted or confined but under proceſs iſſuing from the courts of judicature.

How native officers guilty of a breach of the foregoing rule, are to be proceeded againſt and puniſhed.

XVI. Any native officer proved to the ſatisfaction of the collector to have been guilty of a breach of the rule contained in the foregoing ſection, ſhall be liable to be diſmiſſed from his employment. It is moreover declared, that complaints againſt native officers employed in the collection of the houſe tax for undue exactions, ſhall be cognizable by the magiſtrates; and any ſuch native officer on being convicted before a magiſtrate of having exacted, or attempted to exact any tullubana, excepting ſuch as is expreſsly authorized by the foregoing ſection, or fee or pecuniary conſideration, under any plea or pretence whatever; ſhall be liable to be ſentenced to fine and impriſonment, or to corporal puniſhment (excepting the aſſeſſor and receiver who ſhall in no inſtance be ſubjected to that puniſhment) according to the nature and circumſtances of the caſe, and the condition in life of the offender, to the full extent of the powers veſted in the magiſtrate, by Section XIX, of Regulation IX, 1807. The party aggrieved ſhall at the ſame time be at liberty to proſecute the offender for damages in the dewanny adawlut.

* * *

A. D. 1810. REGULATION XVI.

A REGULATION *to amend the exiſting rules for the appointment of zillah and city magiſtrates; to provide for the appointment of joint, and aſſiſtant magiſtrates; and to alter the proviſions in force for the payment of a fixed reward on the conviction of public offenders.*— PASSED *by the Governor General in Council, on the 9th October 1810; correſponding with the 24th Aſſin 1217 Bengal era; the 26th Aſſin 1218 Fuſſily; the 25th Aſſin 1218 Willaity; the 12th Aſſin 1867 Sumbut; and the 9th Ramzan 1225 Higeree.*

Preamble.

BY the rules in force for the appointment of the zillah and city magiſtrates, it is enacted, that the judges of the civil courts, in the ſeveral zillahs and cities, ſhall hold the office of magiſtrate of the zillah or city, under their reſpective juriſdictions. It has however, in ſome inſtances, been found expedient, to appoint a diſtinct officer to execute the duty of magiſtrate. It has alſo been conſidered adviſable to veſt the magiſtrates of certain zillahs, with concurrent authority in contiguous or other juriſdictions, as joint magiſtrates, for the purpoſe of giving effect to the

the meaſures which have been adopted for the diſcovery and apprehenſion of robbers, and other public offenders. And it is expected, that in particular diſtricts, the police may be improved, and the diſcharge of the general duties of the office of magiſtrate eſſentially promoted, by the occaſional appointment of an aſſiſtant magiſtrate. For theſe purpoſes, and to obviate objections which have ariſen to the preſent ſyſtem of granting a fixed reward for the diſcovery and apprehenſion of public offenders, payable on conviction; as well as to provide more effectually for the remuneration of actual ſervice, rendered in the diſcovery or apprehenſion of offenders againſt the public peace, when no ſpecific reward may have been offered for the performance of ſuch ſervice, the Governor General in Council has enacted the following rules, to be in force as ſoon as promulgated, throughout all the provinces immediately ſubordinate to the preſidency of Fort William.

Sections II, and III, Regulation IX, 1793, Sections II, and III, Regulation XVI, 1795, and Sections II and III, Regulation VI, 1803, reſcinded.

II. *Firſt.* Such part of Sections II and III, Regulation IX, 1793, Sections II and III, Regulation XVI, 1795, and Sections II and III, Regulation VI, 1803, or of any other regulation in force, whereby it is enacted that the judges of the civil courts, in the ſeveral zillahs and cities, ſhall hold the office of magiſtrate of the zillah, or city, under their reſpective juriſdictions, and that the ſpecial juriſdiction of the ſeveral magiſtrates ſhall extend throughout the diſtricts and places included in, or annexed to, the zillah or city, in which they are reſpectively ſtationed, is hereby declared to have been and to be ſubject to the following modification.

Governor General in Council, may appoint any perſon, not being judge of the civil court, to hold the office of zillah or city magiſtrate. And may direct whether the judge of the civil court ſhall exerciſe concurrent authority, or not, as joint magiſtrate.

Second. Whenever it is conſidered expedient to appoint a perſon, not being the judge of the civil court of any zillah, or city, to hold the office of magiſtrate in ſuch zillah or city, or in any part thereof, the Governor General in Council will, as heretofore, make ſuch diſtinct appointment to the office of magiſtrate; and direct whether the judge of the civil court ſhall, or ſhall not, exerciſe a concurrent authority as joint magiſtrate.

Third. The foregoing proviſion ſhall be conſidered applicable to the ſuperintendent of police for the diviſions of Calcutta, Dacca, Moorſhedabad and Patna, and to the ſuperintendent of police for the diviſions of Benares and Bareilly, whenever the Governor General in Council may deem it adviſable to inveſt either of thoſe officers with the office of magiſtrate in any zillah or city, or in any part thereof.

Foregoing proviſion applicable to ſuperintendents of police.

III. A concurrent juriſdiction is veſted in the ſeveral zillah and city magiſtrates, and their police officers, in certain caſes, by Section XVI, Regulation XXII, 1793; Section XV, Regulation XVII, 1795; and Section XVI, Regulation XXXV, 1803. It is hereby further declared, that the Governor General in Council, whenever he may deem it adviſable, will as heretofore, inveſt the magiſtrate of any zillah or city, with a general concurrent authority as joint magiſtrate, in any contiguous or other juriſdiction or juriſdictions; or in any part thereof.

Concurrent juriſdiction veſted in zillah, and city magiſtrates, by exiſting regulations.

Further proviſion for inveſting the magiſtrate of any zillah or city, with general concurrent authority, in contiguous or other juriſdictions.

IV. Whenever it may appear neceſſary for the diſpatch of public buſineſs, or for any purpoſe of police, or otherwiſe, to appoint an aſſiſtant magiſtrate, in any zillah or city, or in any part thereof, it ſhall be competent to the Governor General in Council, to make ſuch appointment under the proviſions contained in this Regulation.

Rule for appointment of an aſſiſtant magiſtrate, when neceſſary, in any zillah or city.

V. All perſons appointed to perform the duties of aſſiſtant magiſtrate, under this regulation, ſhall, previouſly to entering upon the execution of ſuch duties, take and ſubſcribe the oath preſcribed by the regulations in force, for the office of magiſtrate, (with ſuch verbal alterations only as may be conſonant to the nature of the appointment,) before the Governor General in Council, or any court, or officer, whom he may commiſſion to adminiſter it.

Oath to be taken by aſſiſtant magiſtrates, under this regulation.

VI. Any perſon appointed to the excluſive charge of the

By what regulations, magiſ-

office

trates; joint magiſtrates, and aſſiſtant magiſtrates, appointed under preceding ſections, to be guided.

office of zillah, or city, magiſtrate, under Section II, of this Regulation, will of courſe, be guided by the regulations in force for the diſcharge of the duties of that office. Perſons appointed to the office of joint magiſtrate, or that of aſſiſtant magiſtrate, ſhall alſo be guided by the general regulations, as far as the ſame may be applicable to their reſpective duties; and for the due execution of ſuch duties, are hereby declared to be inveſted with the ſame powers, as by the regulations are veſted in the zillah and city magiſtrates.

Special duties of joint and aſſiſtant magiſtrates to be determined by the orders of government on their appointment.

In what caſes to be guided by the inſtructions of the court of Nizamut Adawlut.

VII. The ſpecial duties to be performed by joint and aſſiſtant magiſtrates, under the powers veſted in them by the preceding ſection, and the regulations therein referred to, will be determined by the orders of government on their reſpective appointments. But in all matters relating to practice and form, as well as in all points not ſpecifically provided for by this, or any other regulation, the joint and aſſiſtant magiſtrates, ſhall be guided by the inſtructions of the court of Nizamut Adawlut.

Proceſs of a joint or aſſiſtant magiſtrate, under what ſeal, and in what manner to be iſſued.

VIII. All proceſs iſſued by a joint, or aſſiſtant magiſtrate, ſhall be under his official ſeal and ſignature; and ſhall be executed by the officers employed under the joint, or aſſiſtant magiſtrate, or by thoſe of the zillah, or city magiſtrate, as circumſtances may direct; and may appear moſt conducive to the public ſervice. The ſeveral zillah and city magiſtrates, their police officers, and all other perſons acting under them, are required to aid and ſupport the joint, and aſſiſtant magiſtrates, who may be appointed under the proviſions of this regulation, in the execution of any proceſs iſſued by them, under their official ſeals and ſignatures; and reſiſtance to any proceſs ſo iſſued is hereby declared to be puniſhable, in like manner as provided by the regulations, for reſiſtance to the proceſs of a zillah or city magiſtrate.

Aid and ſupport to be given by the zillah and city magiſtrates, and their officers in the execution of ſuch proceſs.

Reſiſtance to ſuch proceſs how puniſhable.

How far aſſiſtant magiſtrates,

IX. Aſſiſtant magiſtrates, (when not acting as magiſtrates, in the to be conſidered ſubordinate to magiſtrates, in the general diſcharge of their duties.

the abſence of the zillah or city magiſtrate,) ſhall be conſidered ſubordinate to the latter, in the general diſcharge of their official duties, as far as may be conſiſtent with the proviſions contained in this regulation. In all caſes of a difference of opinion between the zillah or city magiſtrate, and an aſſiſtant magiſtrate, the latter ſhall conform to the directions of the former, until a reference can be made to the court of circuit, court of Nizamut Adawlut, or Governor General in Council, (according to the circumſtances of the caſe) for a determination upon the ſubject. But it is not intended that any appeal ſhould lie to the magiſtrate from the ſentences of an aſſiſtant magiſtrate, whether for puniſhment, or acquittal; or from the orders of an aſſiſtant magiſtrate for the commitment of priſoners or holding them to bail to take their trial before the court of circuit; the aſſiſtant magiſtrate being veſted with the full powers of magiſtrate in all ſuch caſes, within his juriſdiction; and his proceedings therefore being open to the regular controul of the courts of circuit, and court of Nizamut Adawlut.

In what caſes aſſiſtant magiſtrates may correſpond directly with Governer General in Council, Nizamut Adawlut, courts of circuit, and other authorities.

X. Aſſiſtant magiſtrates, when not ſtationed at the ſame place with the zillah, or city magiſtrate, are authorized, in all caſes requiring diſpatch, to correſpond directly with the Governor General in Council, the court of Nizamut Adawlut, the courts of circuit, or other public authorities. But all monthly and other periodical reports, or accounts, which may be required from an aſſiſtant magiſtrate, by the regulations, or by the orders of government, or court of Nizamut Adawlut, and generally all official communications which an aſſiſtant magiſtrate may have to make to any ſuperior authority, and which may not require immediate diſpatch, without paſſing through the zillah, or city magiſtrate, ſhall be tranſmitted through the channel of the latter, provided he be not abſent from his juriſdiction.

Police and other eſtabliſhments of officers to continue under controul of the

XI. The police and other eſtabliſhments of native officers, employed under a zillah or city magiſtrate, and not ordered zillah or city magiſtrate, when not placed under immediate authority of a joint, or aſſiſtant magiſtrate.

But to obey orders of joint and aſſiſtant magiſtrates, and furniſh all information required from them.

to be placed under the immediate authority of a joint, or aſſiſtant magiſtrate, will continue under the uſual controul of the zillah or city magiſtrate. But all native officers ſo employed, are directed to furniſh any joint or aſſiſtant magiſtrate, having authority over them under this regulation, with every information required from them; as well as generally to obey all orders iſſued to them by ſuch joint or aſſiſtant magiſtrate, on pain, in caſe of neglect or failure, of being fined, ſuſpended, or diſmiſſed from office under the authority or at the repreſentation of ſuch joint or aſſiſtant magiſtrate, according to the proviſions eſtabliſhed by the general regulations for the puniſhment of offences of that deſcription. The Governor General in Council, further reſerves to himſelf a diſcretion of placing any part of the police, or other public eſtabliſhments, under the immediate controul of a joint or aſſiſtant Magiſtrate, when it may appear expedient, ſubject to the rules preſcribed by Sections V, VI, VII, and IX, Regulation VIII, 1809.

Power reſerved to Governor General in Council, of placing any part of the public eſtabliſhments under the immediate controul of a joint or aſſiſtant magiſtrate.

Proviſion in preceding ſection applicable to any public eſtabliſhments which the Governor General in Council, may deem it expedient to place under the controul of the ſuperintendents of police.

XII. The proviſion contained in the preceding ſection ſhall likewiſe be conſidered applicable to all caſes in which the Governor General in Council, may deem it expedient to place any of the police, or other public eſtabliſhments, under the immediate controul of the ſuperintendent of police for the diviſions of Calcutta, Dacca, Moorſhedabad, and Patna, or the ſuperintendent of police for the diviſions of Benares and Bareilly, who by Regulations X, 1808, and VIII, 1810, poſſeſſes a concurrent juriſdiction, with the ſeveral magiſtrates, in the zillahs and cities of the above diviſions reſpectively.

Section XXIV, Regulation IX, 1793, and Section XXIII, Regulation VI, 1803, reſcinded.

XIII. Section XXIV, Regulation IX, 1793, extended to the province of Benares, by Section IV, Regulation XVI, 1795; and Section XXIII, Regulation VI, 1803, whereby the magiſtrates were authorized to give a reward of ten ſicca rupees for every dekoit apprehended, and delivered into their cuſtody, to be paid upon the conviction of the offender, are hereby reſcinded.

XIV. Such part of Section XVIII, Regulation XXII, 1793; Section XVII, Regulation XVII, 1795; Section XVIII, Regulation XXXV, 1803; and Section XIII, Regulation XIV, 1807, or of any other regulation in force, as authorizes the payment of a reward of ten rupees to the police darogahs, cutwals, or other police officers, by whom a robber or thief may be apprehended, to be paid on the conviction of the offender, is alſo hereby reſcinded.

Part of Section XVIII, Regulation XXII, 1793, Section XVII, Regulation XVII, 1795, Section XVIII, Regulation XXXV, 1803, and Section XIII, Regulation XIV, 1807, alſo reſcinded.

XV. Rewards for the apprehenſion of proclaimed robbers, which may have been ſanctioned by the court of Nizamut Adawlut, or by the Governor General in Council, in purſuance of Section III, Regulation IX, 1808, will be payable, as therein provided, on the delivery of the perſon proclaimed to the zillah or city magiſtrate, by whom the proclamation may have been iſſued, or to any police darogah within the juriſdiction of ſuch magiſtrate. It is hereby further declared, that if the perſon ſo proclaimed, be apprehended in any other juriſdiction, and be delivered up to the magiſtrate of the juriſdiction in which he may be apprehended, or to any police darogah in ſuch juriſdiction, the reward advertiſed ſhall be payable on ſuch delivery, in like manner as if the proclaimed perſon had been delivered up to the magiſtrate, by whom the proclamation was iſſued.

Rule for payment of rewards for apprehenſion of proclaimed robbers, in purſuance of Section III, Regulation IX, 1808.

XVI. In caſes of gang robbery, murder, or other heinous crime, when the offenders may not be known, and conſequently it may not be practicable to proceed againſt them by proclamation, in purſuance of Section III, Regulation IX, 1808, if it appear adviſable to the magiſtrate of the juriſdiction in which the crime may be committed, to offer a reward for the diſcovery of the offender, or offenders, he ſhall report the ſame with a ſtatement of the circumſtances of the caſe, to the court of circuit of the diviſion, and ſhall ſpecify the reward which he may judge ſufficient. The court of circuit, on conſideration of ſuch report, if it appear proper to offer a reward, may authorize the ſame to ſuch amount,

Magiſtrates how to proceed when it may appear adviſable to offer a reward for the diſcovery of unknown offenders in caſes of magnitude.

Diſcretion veſted in the courts of circuit in ſuch caſes.

And in the court of Nizamut Adawlut.

In what caſes a report to be made for the orders of government.

as ſhall be deemed ſufficient, not exceeding, in any caſe, the ſum of one hundred ſicca rupees for a ſirdar, or leader of a gang, and twenty rupees for each of the inferior offenders, that may be diſcovered, and apprehended in conſequence. In any caſe which may appear to the court of circuit, to require a larger reward, the magiſtrate's report ſhall be forwarded by the court of circuit, to the court of Nizamut Adawlut, with their opinion of the reward that ſhould be offered; and the court of Nizamut Adawlut may authorize ſuch reward, as ſhall appear ſufficient, not exceeding the ſum of five hundred ſicca rupees, for a ſirdar, or leader, and one hundred rupees for each of the inferior offenders. If theſe rewards appear to be, in any caſe, inſufficient, the court of Nizamut Adawlut ſhall report the ſame for the conſideration and orders of government.

Rewards ſanctioned under the preceding ſection, when payable.

In what caſes the courts of circuit may order payment, in whole, or in part, without conviction of the perſons apprehended.

In what caſes the courts of circuit may alſo withhold payment of the rewards offered, under preceding ſection, notwithſtanding the conviction of the perſons apprehended.

XVII. All ſpecific rewards which may have been duly ſanctioned by the courts of circuit, the court of Nizamut Adawlut, or the Governor General in Council, under the preceding ſection, ſhall be payable on the conviction of the offender or offenders, before the court of circuit. The courts of circuit are alſo hereby empowered to direct the payment of any part of the ſpecific rewards authorized, although the perſons apprehended may not be convicted of the crimes charged againſt them, if from proof of their notorious bad character, and the whole of the evidence, there appear to be ground of preſumption, that the information given againſt the priſoners, was well-founded, although there may not be ſufficient proof for conviction. Provided further, that it ſhall be competent to the court of circuit to withhold, and prohibit the payment of the whole, or any part, of the ſpecific rewards, offered under the preceding ſection, although the perſons informed againſt and apprehended may be convicted, if it ſhould appear on the trial, that any improper means have been taken by the informer with a view to the conviction of the accuſed, or that the latter has ſuffered any maltreatment from the former, or from any perſon under his influence.

XVIII. In caſes wherein any meritorious ſervice may have been rendered by police officers or others, in the apprehenſion, or diſcovery, of public offenders, for whom no ſpecific reward may be payable to the perſon or perſons who have performed ſuch meritorious ſervice, the courts of circuit on due conſideration of the ſervice rendered, the exertions made, and any expenſe incurred, in the performance of it, are anthorized to direct the payment of ſuch remuneration as may be conſidered adequate, not exceeding the ſum of one hundred rupees for a ſirdar, and ten rupees for an accomplice. If a larger reward be deemed proper, a report of the caſe ſhall be made to the court of Nizamut Adawlut, who are authorized to direct the payment of any ſum not exceeding five hundred ſicca rupees: If, in any caſe, it appear proper to grant a higher reward or compenſation than five hundred rupees, the court of Nizamut Adawlut ſhall report the ſame for the conſideration and orders of government.

Authority veſted in the courts of circuit to direct a remuneration for meritorious ſervice by police officers and others, in the diſcovery, or apprehenſion of public offenders, when no ſpecific reward may be payable to them.

And in the court of Nizamut Adawlut.

In what caſes a report to be made to government.

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A. D. 1810. REGULATION XVII.

A REGULATION *for modifying the duties impoſed by Section XVIII, Regulation IX, 1810, on alimentary ſalt, and for providing more effectually againſt the illicit importation and tranſportation of that article.*—PASSED *by the Governor General in Council, on the 9th October 1810; correſponding with the 24th Aſſin 1217 Bengal era; the 26th Aſſin 1218 Fuſſily; the 25th Aſſin 1218 Willaity; the 12th Aſſin 1867 Sumbut; and the 9th Ramzan 1225 Higeree.*

WHEREAS it has been deemed adviſable to modify the duties impoſed on alimentary ſalt, by Section XVIII, Regulation IX, 1810; and to provide more effectually againſt the illicit importation and tranſportation of that article in conſequence of the abolition of the internal cuſtom houſes in the ceded and conquered provinces, the Governor General in Council has been pleaſed to enact the following rules, which are to be in force from the date of their promulgation. Preamble.

II.

Rates of duty impoſed on ſalt in lieu of theſe impoſed by Section XVIII, Regulation IX, 1810.

II. In lieu of the duties impoſed by Clauſe Second, Section XVIII, Regulation IX, 1810, on alimentary ſalt, duties ſhall be levied on all ſalt, not being ſalt purchaſed at the Company's ſales in Calcutta, whether the produce of the Britiſh territories or of any foreign ſtate, on the importation of ſuch ſalt into, or on the tranſportation of ſuch ſalt through, any part of the ceded and conquered provinces, and on the importation of ſuch ſalt which may not have previouſly paid the eſtabliſhed duty into the province of Benares, at the following rates:

On Lahoree ſalt, - Saumer ditto, - Doodwana ditto, -	One rupee per maund.
On Balumba ſalt, - Bararee ditto, -	Twelve annas per maund.
On Salumba ſalt, - Furrah ditto, -	Eight annas per maund.
On any other alimentary ſalt, excepting ſalt purchaſed at the Company's ſales in Calcutta.	Four annas per maund.

Confiſcation of boats and cattle uſed in the carriage of ſmuggled ſalt.

III. In addition to the penalty of confiſcation of the ſalt impoſed by Clauſe Third, Section XVIII, Regulation IX, 1810, it is hereby declared, that the boats, carts, bullocks, buffaloes, camels, horſes, mules and aſſes, uſed in the conveyance of ſuch ſalt, ſhall be ſimilarly liable to confiſcation.

How the proceeds of confiſcated boats and cattle ſhall be appropriated.

IV. The confiſcation of the boats, carts and cattle, ſhall be decided in the ſame manner as the confiſcation of the ſalt, and when confiſcated they ſhall be ſimilarly diſpoſed of by public ſale, and the proceeds ſhall be appropriated in the ſame mode as the proceeds of the confiſcated ſalt.

Penalty on native officers of cuſtom houſes for connivance

V. All native officers employed under any cuſtom houſe in the ceded and conquered provinces, ſhall on conviction to the ſatisfaction of the Board of Commiſſioners of having connived at the importation or tranſportation of any ſalt unaccompanied by a rowannah, be liable to a fine not exceeding ſix months ſalary, ſuch fine to be enforced by the civil courts in the mode preſcribed for the execution of decrees of court on production through the pleader for government of an atteſted copy of the order of the Board impoſing ſuch fine.

at the ſmuggling of ſalt.

Officers of government to aſſiſt in the ſeizure of ſmuggled ſalt.

VI. Darogahs of police and tehſeeldars are hereby authorized and required, on application from any of the officers of the department of cuſtoms, or on information in writing from individuals, to ſeize all ſalt, which may be liable to confiſcation under Clauſe Third, Section XVIII, Regulation IX, 1810, in conſequence of its not being accompanied by a rowannah, and ſhall receive on the confiſcation of ſuch ſalt the ſame rewards as are allowed by Section XXXIII, Regulation IX, 1810.

How ſeizures made by ſuch officers ſhall be proceeded with.

VII. Such officers ſhall within twenty-four hours, after making ſuch ſeizure of ſalt communicate the ſeizure with a full report of all circumſtances connected with it to the authority under which they are placed, and any magiſtrate or collector of revenue to whom any ſuch ſeizure may be thus communicated, ſhall immediately tranſmit the report of the local officers to the Board of Commiſſioners, who will proceed to determine on the confiſcation, under the authority veſted in them by Section XXXIII, Regulation IX, 1810.

Rule reſpecting the collection of the town duties at certain cities and towns.

VIII. In modification of the rules contained in Regulation X, 1810, it is hereby enacted, that the town duties at Benares, Moorſhedabad, Patna, Dacca, Agra, Furruckabad, Allahabad, Hooghly, Iſlamabad, Mirzapore, Cawnpore and Meerut, ſhall be levied by the collectors and deputy collectors of government cuſtoms at thoſe ſtations reſpectively, and not by the collectors of the land revenue.

LIBRARY

A. D. 1810. REGULATION XVIII.

A REGULATION *for the collection of the duties on pilgrims at Allahabad.*—PASSED *by the Governor General in Council, on the 16th October 1810; correſponding with the 1ſt Kautick 1217 Bengal era; the 4th Kautick 1218 Fuſſily; the 2d Kautick 1218 Willaity; the 4th Kautick 1867 Sumbut; and the 16th Ramzan 1225 Higeree.*

Preamble.

WHEREAS it has been deemed expedient to eſtabliſh ſpecific rules for the better prevention of all abuſes in the collection of the duties on pilgrims at Allahabad, the following rules have been enacted by the Governor General in Council, to be in force from their promulgation.

Rates of duty on pilgrims at Allahabad.

II. *Firſt.* The duties hitherto paid by pilgrims reſorting to the conflux of the rivers Ganges and Jumna at Allahabad, ſhall continue to be levied at the following rates:—

On every pilgrim on foot. - -	One rupee.
On every pilgrim with a horſe, or palankeen, or carriage of any deſcription, -	Two rupees.
On every pilgrim with a camel, -	Three ditto.
On every pilgrim with an elephant, -	Twenty ditto.

Second.

All other duties not authorized by this regulation, ſtrictly prohibited.

Second. All other duties, fees, or gratuities at the ghaut, within the fort, or at any other place, whether demanded in the name of government or for the benefit of individuals, are hereby ſtrictly prohibited.

The pilgrims to be furniſhed with licenſes.

III. Every pilgrim, on application to the collector of the land revenue at Allahabad, ſhall be furniſhed with a licenſe entitling him to perform the uſual religious ceremonies, and no perſon ſhall be admitted to the performance of ſuch ceremonies until he ſhall have furniſhed himſelf with ſuch licenſe.

Exempted claſſes to be furniſhed with maafee chitties.

IV. The exemption from duty hitherto allowed to the inhabitants of the town of Allahabad and of its ſuburbs, and to the Hindoos in the Honorable Company's army, is hereby confirmed. But with a view to obviate the abuſes to which this exemption is liable, every ſuch perſon ſhall be furniſhed with a licenſe of exemption, or maafee chittee, on application to the collector, and ſhall not be entitled to admiſſion to the performance of the religious ceremonies until he ſhall have furniſhed himſelf with ſuch maafee chittee.

The hujams to be regiſtered, and to enter into penal obligations.

V. No duty or tax of any kind ſhall be impoſed upon the ſhaving barbers, or hujams, attending at the conflux of the two rivers; but they ſhall be required to regiſter their names at the collector's office, and execute an obligation to the collector, binding themſelves under a penalty of fifty rupees in every inſtance of contravention, not to perform that part of the ceremonies which reſts with them to any perſon who ſhall not have furniſhed himſelf with the preſcribed licenſe or maafee chittee.

The pilgrims to be admitted through eſtabliſhed avenues of acceſs.

VI. The acceſs to the place of ablution at the conflux of the two rivers, ſhall be reſtricted to a certain number of gates or avenues, to be fixed upon in a barrier, which ſhall be annually eſtabliſhed on the ſubſiding of the rivers from the paliſades of the fort of Allahabad to the bank of the river; and no perſon ſhall be admitted through ſuch barrier except on the production of the preſcribed licenſe or maafee chittee.

VII. Such numbers and deſcriptions of native officers as may be approved of by the Board of Commiſſioners, ſhall be ſtationed by the collector at the abovementioned barrier, whoſe duty it ſhould be not to admit within the barrier any perſon except on the production of the preſcribed licenſe or maafee chittee.

Native officers to be ſtationed at the avenues to prevent the acceſs of pilgrims without licenſes.

VIII. In addition to the aforeſaid officers, a ſufficient military force, in the diſcretion of the officer commanding the ſtation at Allahabad, ſhall on application of the collector, be poſted at the ſaid barrier during the mela or principal concourſe of pilgrims in the months of January and February. And it ſhall be the duty of the military employed on the occaſion, to prevent the concourſe of people from breaking through the barrier, or otherwiſe forcing admiſſion.

A military force to be ſtationed at ſuch avenues during the annual mela.

IX. The licenſes and maafee chitties after being ſhewn at the place of admiſſion, ſhall be delivered up to the officers who may be appointed to receive them, and ſhall be returned to the collector in order to their being cancelled.

The licenſes and maafee chitties to be returned to the collector.

X. All perſons, who, with a view to avoid payment of the duty, ſhall, inſtead of preſenting themſelves at the eſtabliſhed places of admiſſion, attempt to croſs over in boats from the oppoſite ſide of the river to the place of ablution, ſhall, on the fact being proved to the ſatisfaction of the collector, be liable to a fine of three times the preſcribed duty; and if any hujam ſhall aſſiſt any ſuch perſon in the performance of the ceremonies, ſuch hujam ſhall be liable to the penalty ſtipulated in his engagements.

Penalty on perſons attempting to evade the duty.

XI. No hujams except ſuch as ſhall have entered into the obligation preſcribed by Section V, ſhall be permitted to officiate

Penalty on unregiſtered hujams.

in the ceremonies of the pilgrims; and any hujam who, without having entered into ſuch obligation, ſhall be proved to the ſatisfaction of the magiſtrate to have contravened this prohibition, ſhall be liable to the penalty of fifty rupees for every pilgrim whom he ſhall be proved to have ſhaved, and in the event of his not being able to pay the penalty, ſhall be committed for three months to the dewanny jail.

A. D. 1810. REGULATION XIX.

A REGULATION *for the due appropriation of the rents and produce of lands granted for the ſupport of Moſques, Hindoo Temples, Colleges, and other purpoſes; for the maintenance and repair of Bridges, Serays, Kuttras and other public Buildings; and for the cuſtody and diſpoſal of Nuzzool property or eſcheats.*—PASSED *by the Governor General in Council, on the 14th December 1810; correſponding with the 1ſt Pooſe 1217 Bengal Era; the 4th Pooſe 1218 Fuſſily; the 2d Pooſe 1218 Willaity; the 3d Pooſe 1867 Sumbut; and the 16th Zekada 1225 Higeree.*

Preamble.

WHEREAS conſiderable endowments have been granted in land by the preceding governments of this country, and by individuals, for the ſupport of moſques, Hindoo temples, colleges, and for other pious and beneficial purpoſes; and whereas there are grounds to ſuppoſe, that the produce of ſuch lands is in many inſtances appropriated, contrary to the intentions of the donors, to the perſonal uſe of the individuals in immediate charge and poſſeſſion of ſuch endowments; and whereas it is an impor-

tant

ſant duty of every government to provide that all ſuch endowments be applied according to the real intent and will of the grantor; and whereas it is moreover eſſential to provide for the maintenance and repair of bridges, ſerays, kuttras, and other buildings, which have been erected either at the expenſe of government or of individuals for the uſe and convenience of the public; and alſo to eſtabliſh proper rules for the cuſtody and diſpoſal of nuzzool property, or eſcheats; the following rules have been enacted, to be in force from the period of their promulgation throughout the provinces immediately dependent on the Preſidency of Fort William.

The general ſuperintendence of lands granted for the ſupport of moſques &c. and of bridges, ſerays and other public buildings veſted in the Board of Revenue or Board of Commiſſioners reſpectively.

II. The general ſuperintendence of all lands granted for the ſupport of moſques, Hindoo temples, colleges, and for other pious and beneficial purpoſes; and of all public buildings, ſuch as bridges, ſerays, kuttras, and other edifices, is hereby veſted in the Board of Revenue and Board of Commiſſioners, in the ſeveral diſtricts ſubject to the control of thoſe Boards reſpectively.

Thoſe Boards to be careful that endowments for ſupport of ſuch eſtabliſhments be duly appropriated, and that public edifices be duly repaired.

III. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to take care that all endowments made for the maintenance of eſtabliſhments of the above deſcription, be duly appropriated to the purpoſe for which they were deſtined by the government, or individual by whom ſuch endowments were granted. In like manner it ſhall be the duty of thoſe Boards to provide, with the ſanction of government, for the due repair and maintenance of all public edifices which have been erected either at the expenſe of the former or preſent government or of individuals; and which either at preſent are or can conveniently be rendered conducive to the convenience of the community.

Buildings fallen to decay or not calculated to be uſeful if repaired, how to be diſpoſed of.

IV. In thoſe caſes however in which any of the buildings in queſtion have fallen to decay and cannot from that, or other cauſes, be conveniently repaired, or are not calculated, if repaired, to afford any material accommodation to the public, the Boards ſhall recommend that they be ſold on the public account, or otherwiſe diſpoſed of, as may appear moſt expedient.

Thoſe Boards to be careful that lands or public edifices are not appropriated by individuals for private uſes.

V. Under the foregoing rules it will of courſe be incumbent on the Board of Revenue and Board of Commiſſioners to prevent any lands, which have been granted for the ſupport of eſtabliſhments of the above deſcription, from being converted to the private uſe of individuals, or appropriated in any other mode contrary to the intent and will of the donor; and likewiſe to prevent all public edifices from being uſurped by individuals and falling into the poſſeſſion and excluſive uſe of private perſons.

Eſtimates of neceſſary repairs to be ſubmitted to government.

VI. Whenever the Board of Revenue and Board of Commiſſioners may be of opinion, that any of the above mentioned edifices require repair, they ſhall obtain the neceſſary eſtimates of the expenſe required for the execution of the work, and forward them to government for its approval.

The general ſuperintendence of nuzzool property veſted in thoſe Boards.

VII. The general ſuperintendence of all nuzzool property or eſcheats is likewiſe hereby veſted in the Board of Revenue and Board of Commiſſioners reſpectively, who will inform themſelves fully through the channel hereafter mentioned, of all property of that deſcription, and report to government whether it ſhould in their opinion be ſold on the public account, or in what other mode it ſhould be diſpoſed of.

Local agents to be appointed to enable thoſe Boards to carry into effect the duties hereby entruſted to them.

VIII. To enable the Board of Revenue and Board of Commiſſioners the better to carry into effect the duties entruſted to them by this regulation, local agents ſhall be appointed in each zillah, ſubject to the authority, control and orders of thoſe Boards reſpectively.

The collector of the zillah to be ex-officio an agent with ſuch others as may be deemed expedient.

IX. The collector of the zillah ſhall be ex-officio one of thoſe agents, with whom the Governor General in Council will unite ſuch other public officers, whether in the civil, military, or medical

dical branch of the ſervice, as may from time to time be judged expedient.

Such agents to aſcertain the particulars of all endowments, buildings, or nuzzool property, and report to the reſpective Boards.

X. Under the proviſions of the preſent regulation, it will of courſe be the duty of the agents to obtain full information from the public records, and by perſonal enquiries reſpecting all endowments, eſtabliſhments, and buildings of the nature of thoſe above deſcribed, and of all nuzzool property or eſcheats; and to report to the Board to whoſe authority thoſe agents are reſpectively ſubject, any inſtances in which they may have reaſon to believe that the lands or buildings are improperly appropriated; being in all caſes careful not to infringe any private rights or to occaſion unneceſſary trouble or vexation to individuals.

The agents to aſcertain and report the names, &c. of the preſent truſtees or managers of ſuch inſtitutions and by what authority appointed.

XI. The ſaid agents will further aſcertain and report the names, together with other particulars, of the preſent truſtees, managers, or ſuperintendents of the ſeveral inſtitutions, foundations, or eſtabliſhments above deſcribed; whether under the deſignation of Mootuwullee or any other, and by whom and under what authority appointed or elected; and whether in conformity to the ſpecial proviſions of the original endowment and appropriation by the founder, or under any general rule or maxim applicable to ſuch inſtitutions and foundations.

The agents to report to the reſpective Boards all vacancies or caſualties which may occur with full information as to the pretenſions of claimants.

XII. The local agents will alſo report to the ſuperior Boards all vacancies and caſualties which may occur, with full information of all circumſtances, to enable the Boards to judge of the pretenſions of the perſon or perſons claiming the truſt; particularly whether the ſucceſſion have been heretofore by inheritance in the line of deſcent; or whether the ſucceſſor have been in former inſtances elected and by whom; or whether he have been nominated by the founder, or his heir or repreſentative, or by any other individual patron of the foundation; or by any officer or repreſentative of government, or directly by the government itſelf.

The agents to recommend fit perſons in caſes wherein the nomination is veſted in or devolves upon government.

XIII. In thoſe caſes in which the nomination has uſually reſted with the preſent or former government, or with a public officer, or of right appertains to government in conſequence of no private perſon being competent and entitled to make ſufficient proviſion for the ſucceſſion to the truſt and management, it will be the further duty of the local agents to propoſe for the approval and confirmation of the ſuperior Board a fit perſon or perſons for the charge of truſtee or manager and ſuperintendent, duly attending to the qualifications of the perſon ſelected, and to any ſpecial proviſions of the original endowment and foundation, and to the general rules or the known uſages of the country applicable to ſuch caſes.

The Boards to appoint ſuch perſons or make ſuch other proviſion for the truſt as they may deem fit with reference to the conditions of the endowments.

XIV. On the receipt of the report and information required by the preceding clauſe, the Board of Revenue or Board of Commiſſioners will either appoint the perſon or perſons nominated for their approval; or will make ſuch other proviſion for the truſt, ſuperintendence, and management, as may be right and fit with reference to the nature and conditions of the endowment; having previouſly called for any requiſite further information from the local agents.

Individuals deeming themſelves injured by any orders paſſed under this Regulation, not precluded from ſuing for recovery of their rights or for damages in the manner preſcribed in the regulations;

XV. Nothing contained in this regulation ſhall be conſtrued to preclude any individual, who may conceive that he has juſt grounds of complaint on account of any orders which may be paſſed by any of the above mentioned authorities, with reſpect to the appropriation of any lands or buildings of the nature of thoſe above deſcribed, from ſuing, in the mode and form preſcribed by the regulations, where government or public officers are parties; or under the general proviſions of the regulations, if the ſuit be brought againſt a competitor or other private perſon, for the recovery thereof in the regular courſe of law, or for compenſation in damages for any loſs or injury ſuppoſed to have been unduly ſuſtained by him.

XVI,

The object of this Regulation is ſolely to provide for the due appropriation of lands granted, or buildings, erected, for public purpoſes:

XVI. It is to be clearly underſtood, that the object of the preſent regulation is ſolely to provide for the due appropriation of lands granted for public purpoſes agreeably to the intent of the grantor, and not to reſume any part of the produce of them for the benefit of government. In like manner it is fully intended, that all buildings erected by the former or preſent government, or by individuals for the convenience of the public, ſhould be excluſively appropriated to that purpoſe, with the exception of ſuch as have fallen to decay and cannot from that, or any other cauſe, be conveniently repaired, or which under exiſting circumſtances, can no longer contribute to the accommodation of the community.

A. D. 1810. REGULATION XX.

A REGULATION *for ſubjecting perſons attached to the military eſtabliſhments to martial law in certain caſes, and for the better government of the retainers and dependents of the army receiving public pay on fixed eſtabliſhments, and of perſons ſeeking a livelihood, by ſupplying the troops in garriſon cantonment and ſtation military bazars, or attached to bazars of corps.*—PASSED *by the Governor General in Council, on the* 29*th December* 1810; *correſponding with the* 16*th Pooſe* 1217 *Bengal era*; *the* 19*th Pooſe* 1218 *Fuſſily*; *the* 17*th Pooſe* 1218 *Willaity*; *the* 4*th Pooſe* 1857 *Sumbut*; *and the* 2*d Zelhij* 1225 *Higeree.*

Preamble.

BY the reſpective articles of war for the government of His Majeſty's and the Honorable Company's troops, all retainers to a camp, and all perſons whatever ſerving with the forces in the field, though not enliſted ſoldiers, are to be ſubject to orders according to the rules and diſcipline of war. From the great number of native retainers and followers attached to military eſtabliſhments in India, and the importance of a prompt and orderly diſcharge of their duties to the welfare of the troops, it is neceſſary that the principle of this article of war ſhould be extended to other caſes than that of actual ſervice in the field, to which it is at preſent confined; and that it ſhould be applied under certain reſtrictions to the maintenance of a proper diſcipline among the retainers of the army at all times. By Regulation III, 1809, the ſupport of the police and the maintenance of the peace within the limits of cantonments and military bazars, are veſted in the officers commanding the troops quartered at ſuch places; but the powers of commanding officers under that regulation are reſtrained to ſuch meaſures, as may be calculated for the prevention of crimes and the apprehenſion of perſons committing them, and they are prohibited from interfering in caſes of petty breaches of the peace, and other offences of inferior magnitude, unleſs where the parties are taken in the fact; the cognizance of theſe offences as well as thoſe of greater magnitude, being expreſsly reſerved to the magiſtrate by that regulation. As however it will further tend to the maintenance of good order, to ſubject the retainers and dependents of the army to puniſhment for petty offences by a military tribunal, it has been deemed expedient to transfer the cognizance of ſuch caſes, under the reſtrictions and in the mode hereafter mentioned, to courts martial to be aſſembled for that purpoſe by commanding officers; and it has further been deemed expedient for the eaſe and ſecurity of dealers, and for encouraging their reſort to military bazars, to veſt in military courts, to be aſſembled by commanding officers, a power of enforcing the payment of ſmall debts, and of deciding on the ſpot in petty cauſes of a civil nature ariſing between officers, ſoldiers or retainers of the army, and perſons carrying on trade in military bazars, or between ſuch retainers or traders; the Governor General in Council has therefore been pleaſed to enact the following rules.

Certain deſcription of perſons ſerving with the army and receiving public pay, ſubject to trial, by

II. All perſons ſerving with any part of the army and receiving public pay drawn by any officer in charge of a public department appertaining to the army, whether as laſcars, magazine men, kalaſſies attached to magazines or any other department or eſtabliſhment, native doctors, writers, bhiſtees, puckallies, ſyces, graſſcutters, mahouts, ſurwans, or other ſubordinate ſervants attached to public cattle, bildars, artificers, or in any other capacity ſhall, (provided they are borne upon the fixed eſtabliſhment of the department in which they are employed and not otherwiſe) be ſubject to be tried by a court martial for all breaches of their reſpective duties, and for all diſorders and neglects to the prejudice of good order and of the local regulations eſtabliſhed by the commanding officer or other competent authority in the cantonment, garriſon, ſtation, or other places where the troops, to which they are attached, may be ſerving.

courts martial for breach of duty or offences againſt good order or local regulations in the cantonments or ſtations to which they are attached.

III. Provided that it ſhall not be competent for ſuch court martial to ſentence any perſons of the above deſcription to any other or heavier puniſhment than may now be lawfully inflicted on enliſted ſoldiers under the 2d article, of the 24th ſection of His Majeſty's, or the 2d article of the 15th ſection of the Honorable Company's articles of war, unleſs where the forces are ſerving in the field; for which caſe proviſion is already made by the exiſting articles of war, from which nothing in this regulation is to be underſtood to derogate.

Limitation of puniſhment awarded by courts martial in ſuch caſes.

IV. Menial ſervants of officers within the precincts of any cantonment, garriſon, or military ſtation or military bazar, although they ſhall not be in the receipt of public pay, ſhall at all times be ſubject to all ſuch regulations as ſhall be made by the commanding officer, or other competent authority for the maintenance of good order in ſuch cantonment, garriſon, ſtation, or bazar, and ſhall be liable to be tried by a native court martial for any breach thereof.

Menial ſervants of the officers tho' not receiving public pay, liable to trial by courts martial for breaches of the local regulations eſtabliſhed in cantonments or ſtations.

V. On receipt of this regulation the limits of the cantonments and garriſons, including the military bazars attached thereto, at which any diviſion or corps of the army, or any conſiderable detachment

Limits of cantonments, &c. how to be defined and eſtabliſhed.

tachment not being leſs than half a battalion, may be quartered ſhall be marked out, in all caſes in which it has not been already done under Regulation III, 1809, by the commanding officer, in concert with the magiſtrate. The commanding officer at each of thoſe stations from which a report of the nature hereafter deſcribed, has not been already furniſhed under Section IV, Regulation III, 1809, will accordingly ſubmit to government, through the Commander in Chief without delay, a report framed in concert with the magiſtrate of the diſtrict in which the cantonments or garriſons may be ſituated, upon the local limits of the cantonment or garriſon; forwarding at the ſame time any ſeparate remarks which the magiſtrate may wiſh to make on the ſubject, for the final orders of government. As ſoon as the limits of the cantonments and garriſons ſhall be approved and confirmed by government on the report of the magiſtrate and commanding officer above required, plans ſhall be prepared of the limits of the cantonments and garriſons, including the military bazars attached thereto.

Plans where to be depoſited.

VI. The plans ſhall be prepared in quadruplicate, and ſigned by the commanding officer, and the magiſtrate of the diſtrict; one copy ſhall be depoſited at the head quarter of the ſtation, another at the cutcherry of the magiſtrate: and the other two ſhall be tranſmitted to the Commander in Chief, by whom one copy will be forwarded to government.

The names of certain perſons reſiding within the limits of cantonments, &c. to be regiſtered in the office of the brigade major or other officer.

VII. The names of all perſons having houſes, ſhops, or other buildings or fixed places within the limits of the garriſon, cantonment or ſtation as deſcribed in the plans, in which they carry on trade, or otherwiſe ſeek a livelihood by ſupplying or ſerving the troops, ſhall be entered in a regiſter to be kept in the office of the brigade major or other ſtation ſtaff officer, and to be open to inſpection at all reaſonable hours; the name of each perſon ſhall be entered both in Engliſh, and in the language and character commonly uſed in the diſtrict in which the ſtation is ſituated, and the occupation of the perſon written oppoſite to it in like manner with the place of his reſidence, and the date of the regiſtration.

Rules as to ſuch regiſtered perſons.

VIII. No perſon ſhall be regiſtered as attached to the ſtation bazar, without his free conſent, and any perſon ſo regiſtered ſhall be entitled at any time to demand his diſcharge from the regiſtry. Perſons regiſtered ſhall be entitled to the privileges of regiſtry ſo long only as they continue to carry on trade or other employment relating to the ſupply or ſervice of the troops, at ſome houſe, ſhop or fixed place within the limits abovementioned, and ſhall be ſubject during ſuch time to all regulations made by the commanding officer or other competent authority, for the maintenance of good order and fair dealing in the ſtation bazar, and ſhall be liable to be tried by a native court martial for any breach thereof.

Perſons attached to bazars of corps to be regiſtered in a book at head quarters.

IX. The names of all perſons attached to bazars of corps, ſhall in like manner be regiſtered in a book, which ſhall be kept at the head quarters of the corps, and ſhall be open to inſpection at all reaſonable hours; the entries ſhall be made in the ſame manner in all reſpects as thoſe in the regiſters of ſtation bazars.

Rules as to ſuch perſons.

X. No perſon ſhall be regiſtered as attached to the bazar of a corps without his free conſent, and any perſon ſo regiſtered ſhall be entitled at any time to require his diſcharge, except when the corps is on actual ſervice, or there is an immediate proſpect of its being ordered to march, in which caſes it ſhall be in the diſcretion of the commanding officer to withhold ſuch diſcharge ſo long only as the immediate exigency of the public ſervice requires.

What perſons are entitled to the privileges of ſuch regiſtry.

XI. No perſon regiſtered as attached to the bazar of a corps ſhall be entitled to any of the privileges of ſuch regiſtry, except thoſe who ordinarily carry on the trade or employment in reſpect of which they are regiſtered within the place allotted or commonly uſed for the bazar of the corps when it is ſtationary.

Such regiſtered perſons liable to local regulations, and to trial by courts martial for a breach of them.

XII. All perſons regiſtered as attached to bazars of corps ſhall, while they continue ſo attached, be ſubject to ſuch regulations as ſhall be made by the commanding officer or other competent authority, for the maintenance of good order and fair dealing in the bazar, and for the prompt and efficient execution of ſuch ſervices as belong to their reſpective occupations, and ſhall be liable to be tried by a native court martial for any breach thereof.

Limitation of puniſhment to be awarded by courts martial in ſuch caſes.

XIII. No court martial ſhall inflict any heavier corporal puniſhment for the breach of a local regulation on any perſon attached to a bazar of a corps, or to a ſtation bazar, or on any ſervant of an officer, than fifty laſhes with a cat-o'-nine-tails or fourteen days confinement, or in aggravated caſes, both thoſe puniſhments; and perſons attached to bazars of corps or ſtation bazars, who are above the condition of petty dealers, menial ſervants or workmen, ſhall not be liable to corporal puniſhment in the firſt inſtance for breach of local regulations, but ſhall be ſentenced to pay a fine to the uſe of government, which ſhall in no caſe exceed ſicca rupees one hundred, and ſhall be levied, if not paid forthwith, under the written order of the commanding officer, grounded on the ſentence of the court, by ſeizure and public ſale of ſuch goods of the offender, as may be found within the limits of the garriſon, cantonments or bazar, and if ſufficient goods ſhall not be found within the limits, the offender may be arreſted by a written order of the commanding officer, and confined for one month, unleſs he ſooner diſcharges the fine; and any perſon attached to a bazar, who ſhall be ſentenced to a fine by a court martial for the breach of any local regulation, and ſhall fail to diſcharge the ſame, ſhall be liable, in caſe of conviction for a ſecond offence, to be ſentenced to corporal puniſhment in the ſame manner as petty dealers, workmen, or menial ſervants, or to be ſtruck off the regiſter of the ſtation bazar, or bazar of the corps, as the caſe may be.

Sentences of corporal puniſhment againſt

XIV. If any perſon deeming himſelf entitled to exemption from ſrom corporal puniſhment by the preceding ſection, ſhall be ſentenced thereto by a court martial, the commanding officer ſhall upon appeal to him, and proof given to his ſatisfaction, that ſuch perſon is entitled to the exemption, commute the puniſhment for a fine not exceeding ſicca rupees one hundred, which fine ſhall be levied in the ſame manner as if it had been originally impoſed by the court martial.

perſons exempted therefrom may be commuted for a fine.

XV. With a view alſo to the more effectual maintenance of good order in the garriſons, cantonments, and military bazars, it is hereby enacted that, if any retainer of the army of the deſcription mentioned in Section II, of this regulation, or any menial ſervant of an officer, or any perſon regiſtered as attached to the ſtation or ſudder bazar, ſhall be charged with the commiſſion of an inconſiderable aſſault or affray, or other act immediately tending to the breach of the peace and good order of any of the ſaid garriſons, cantonments or bazars, within the limits thereof, as deſcribed in the plans to be approved by government, the perſon ſo accuſed, ſhall be tried by a native court martial; and ſuch court martial ſhall be empowered to puniſh the offender when convicted, by impriſonment for a term not exceeding twenty days, or by impoſing upon him a fine not exceeding fifty ſicca rupees, or to ſubject him to corporal puniſhment not exceeding fifty laſhes with cat-o'-nine-tails, unleſs the offender be of the deſcription of perſon mentioned in Section II, of this regulation, and the act done involves a military offence, and is ſo charged, in which caſe the degree of puniſhment is to be determined by the rule laid down in Section III, of this regulation.

Perſons above deſcribed, liable to trial by courts martial for petty aſſaults and breaches of the peace within the limits of the cantonments &c.

XVI. If any retainer of the army of the deſcription mentioned in Section II, of this regulation, or any menial ſervant of an officer, or any perſon regiſtered as attached to the ſudder bazar, ſhall be charged with having committed a petty theft, (that is to ſay, theft without circumſtances of violence and outrage, not exceeding the value of rupees one hundred,) within the limits

Alſo for petty thefts not involving violence or outrage.

of the cantonment or bazar, ſuch charge ſhall be tried by a native court martial, which ſhall have the power of inflicting on the offenders, corporal puniſhment not exceeding one hundred laſhes with a cat-o'-nine-tails, or of impriſoning them for a term not longer than one month.

How perſons not attached to military ſtations charged with petty offences committed within the limits of thoſe ſtations, are to be proceeded againſt.

XVII. If any ſuch petty offences as are deſcribed in Sections XV and XVI, of this regulation, ſhall be committed within the limits of a garriſon, cantonment, or military bazar, by any perſon not being a retainer of the army, or the menial ſervant of an officer or regiſtered as attached to the bazar, the commanding officer ſhall cauſe the offender, if found within the limit of the cantonment, garriſon or bazar, to be arreſted and ſent to the magiſtrate, who ſhall enquire into the facts and puniſh the offender if convicted, in the ſame manner as in other caſes of petty offences cognizable by the magiſtrate under the exiſting regulations.

All perſons accuſed of crimes committed within the limits of military ſtations, but not cognizable by courts martial under this regulation ſhall be arreſted by the commanding officer and delivered over to the magiſtrate.

XVIII. In all caſes of crimes committed within the limits of garriſons, cantonments, or military bazars, which are not cognizable before a court martial in the manner deſcribed in this regulation, the offender whatever be his deſcription if found within the limits, ſhall be arreſted by the commanding officer and delivered over to the magiſtrate.

How proceſs of arreſt either civil or criminal is to be executed within the limits of military ſtation.

XIX. In all caſes in which it may be neceſſary to execute any proceſs of arreſt, criminal or civil, within the limits of a garriſon, cantonment, military ſtation, or military bazar (the proceſs of the Supreme Court only excepted) the officers intruſted with the execution of ſuch proceſs of arreſt, ſhall in the firſt inſtance carry the ſame to the commanding officer, or if he ſhall happen to be abſent, to the ſenior officer actually preſent in the garriſon, cantonment or ſtation; and the commanding officer or ſuch ſenior officer upon ſuch proceſs being produced to him, ſhall back the ſame with his ſignature, and ſhall forthwith uſe his utmoſt endeavours to cauſe the perſon or perſons named in ſuch proceſs to be diſcovered, and if within the limits of the garriſon, cantonment, ſtation or bazar, to be arreſted and delivered according to the exigency of the proceſs to the civil officer charged with the execution thereof, but nothing herein contained is to be conſtrued to prevent the ſervice by the civil officer in the uſual way, of ſummonſes, ſubpœnas, or other proceſs of mere citation without arreſt.

Such rule not to extend to the ſervice of proceſs ſhort of arreſt.

What deſcription of military ſtations thoſe rules are for the preſent confined to.

XX. The proviſions of this regulation reſpecting the trial of petty offences committed within the limits of garriſons, cantonments, military ſtations or military ſtation bazars, and the proviſions of this regulation, reſpecting the execution of proceſs of arreſt before judgment againſt regiſtered perſons attached to ſtation bazars, are to be conſidered as applicable only to thoſe garriſons, cantonments and ſtations, the limits whereof ſhall be laid down in plans approved and confirmed by the Governor General in Council, in the manner deſcribed in Section V, of this regulation; and they ſhall be in force in ſuch garriſons, cantonments and military ſtations reſpectively, from the time that the plans ſo approved and confirmed ſhall have been depoſited at the head quarters, and in the cutcherry of the magiſtrate, in the manner preſcribed in Section VI. With regard to thoſe garriſons, cantonments or ſtations to which it may not be found practicable to aſſign local limits for the purpoſes of this regulation, ſpecial proviſions will be made hereafter, according to the circumſtances of each caſe: in the mean time the proviſions of Regulation III, of 1809, are to be conſidered as in full force with reſpect to thoſe garriſons, cantonments and military ſtations, and the ſtation bazars attached thereto.

The police over perſons attached to the bazars of corps veſted in the commanding officers

XXI. The charge of the police over perſons regiſtered as attached to bazars of corps, is veſted to the extent ſpecified in Regulation III, of 1809, and in this regulation, in the commanding officers of ſuch corps, ſo long as ſuch perſons ſhall be bonâ fide, carrying on the occupation in reſpect of which they are ſo re-

giſtered;

The magiſtrates to have concurrent juriſdiction in certain caſes.

giſtered; all ſuch petty offences as are ſpecified in this regulation, ſhall be tried and puniſhed by a court martial, when committed by this deſcription of perſons under the ſame rule and reſtrictions as to the mode and meaſure of puniſhment as are before laid down with reſpect to offences committed by perſons attached to ſudder bazars; provided that when ſuch offences are committed at the diſtance of above one coſs from the ſtations of the corps or from its actual poſition on a march, and the offender is taken in the fact, the magiſtrate ſhall have a concurrent juriſdiction, and may proceed againſt the offender as in other caſes, or at his diſcretion, remit him to the commanding officer to be tried by court martial.

How actions of debt or other perſonal actions not exceeding 200 rupees againſt officers, ſoldiers or others, are to be tried and determined.

XXII. Actions of debt and all perſonal actions againſt officers, ſoldiers, retainers of the deſcription mentioned in Section II, of this regulation, perſons regiſtered as attached to ſudder bazars, or bazars of corps, or menial ſervants of officers, ſhall be cognizable before a military court, and not elſewhere; provided the value in queſtion does not exceed ſicca rupees two hundred and the defendant was a perſon of the deſcription abovementioned, when the cauſe of action aroſe; ſuch courts ſhall be compoſed of European officers when European officers may be parties concerned, and in all other caſes, of native officers with an European officer to ſuperintend and record the proceedings, and ſhall in all practicable caſes conſiſt of five members, and in no inſtance of leſs than three members, one of whom ſhall preſide. Such courts ſhall be convened monthly by the commanding officers of corps and ſtations, and ſhall be holden on ſome convenient day before the iſſue of the pay for each month, and it ſhall be competent to ſuch courts upon finding any debt, or damage due, either to a ward execution generally, or to direct as they ſhall ſee fit, that the whole or any part thereof ſhall be ſtopped and paid over to the creditor out of any pay or public money which may be coming to the debtor, either in the current or any future month. Where the execution is awarded generally, the debt if not paid forthwith, ſhall be levied by ſeizure and public ſale of ſuch of the debtor's goods as may be found within the limits of the garriſon, cantonment or military bazar, under a written order of the commanding officer, grounded upon the judgment of the court; and if ſufficient goods are not found within the limits, the debtor ſhall be arreſted by like order of the commanding officer, and impriſoned in ſome convenient place of confinement within the limits of the garriſon, cantonment or military bazar, for the ſpace of two months, unleſs the debt be ſooner paid, and his goods, if found, within the limits at any ſubſequent time, ſhall be liable to be ſeized and ſold in ſatisfaction of the debt, under a written order of the commanding officer.

By whom courts martial are to be convened for the purpoſes ſpecified in this regulation.

XXIII. The courts martial and other military courts authorized to be holden by the proviſions of this regulation, are to be convened by officers commanding ſtations, garriſons, or detachments, as the caſe may be, and when ſingle corps are employed in ſeparate or detached ſituations, by the officers commanding the corps ſo detached.

No proceſs of arreſt before judgment to iſſue from the civil courts, unleſs in caſes exceeding 200 rupees. Rules in caſes exceeding that amount.

XXIV. No proceſs of arreſt before judgment, ſhall iſſue from any civil court in any action againſt a perſon reſiding or carrying on any trade or occupation, relating to the ſervice or ſupply to the troops at any houſe, ſhop, or fixed place within the precincts of a garriſon, cantonment or military bazar, unleſs it be averred in the plaint that the cauſe of action exceeds ſicca rupees two hundred, or that the defendant though reſident or carrying on ſuch trade or occupation within the military limits, is not regiſtered, or that though regiſtered he has not within the ſpace of three months preceding, truly and bonâ fide exerciſed the occupation in reſpect of which he is regiſtered within the limits; in all caſes where ſuch averment ſhall be made, the judge iſſuing the proceſs ſhall indorſe upon it as the caſe may be "Cauſe of action above ſicca rupees two hundred," or "Defendant not regiſtered" or "Defendant not entitled to privilege of regiſtry," and ſhall ſign the indorſement. All proceſs ſo indorſed ſhall, if the defendant be within the limits of the garriſon, cantonment or military bazar, be delivered in the firſt inſtance to the commanding officer, and be executed through him as in other caſes; but if the defendant be found without the limits of the garriſon, cantonment or military bazar, he may be arreſted by the civil officer on proceſs ſo indorſed; and in all caſes of ſuch arreſts whether made within or without the limits, if at the trial, the plaintiff ſhall not prove according to the purport of the indorſement, either that the cauſe of action exceed ſicca rupees two hundred, or that the defendant though reſident or carrying on ſuch trade or occupation as abovementioned within the military limits, was not regiſtered, or that though regiſtered he had not during the ſpace of three months preceding, truly and bonâ fide exerciſed the trade or occupation in reſpect of which he is regiſtered within the limits, he ſhall be nonſuited with coſts.

Similar rules as to perſons attached to the bazar of corps.

XXV. No perſon regiſtered as attached to the bazar of a corps and bonâ fide carrying on the trade or occupation in reſpect of which he is regiſtered in the place allotted or ordinarily uſed for the bazar of the corps, ſhall be liable to be arreſted on proceſs before judgment out of any civil court, for any cauſe of action not exceeding ſicca rupees two hundred. In all caſes in which perſons of this deſcription are arreſted by civil proceſs, it ſhall be declared in the plaint, that the cauſe of action does exceed ſicca rupees two hundred, in which caſe the judge ſhall indorſe on the proceſs "cauſe of action exceeding ſicca rupees two hundred," and ſhall ſign the indorſement; and if the plaintiff at the trial of the cauſe, ſhall not prove a cauſe of action exceeding ſicca rupees two hundred, he ſhall be nonſuited with coſts: and in caſe any perſon regiſtered as attached to the bazar of a corps, and bonâ fide carrying on the occupation in reſpect of which he is regiſtered within the limits allotted, or ordinarily uſed for the military bazar, ſhall be arreſted under civil proceſs, which is not ſo indorſed, the commanding officer, if he ſhall, after due inquiry, be ſatisfied that ſuch perſon was ſo bonâ fide carrying on the occupation, in reſpect of which he is regiſtered within the limits aforeſaid, ſhall make out and ſign a certificate in the following form:—

“I commanding officer of do hereby certiſy that of was regiſtered on the day of in the year as a perſon attached to the bazar of the corps in the occupation of a and that he did at the time of his being arreſted on the day of laſt, actually and bonâ fide follow that occupation as a perſon attached to the bazar of the corps within the ſpace allotted or ordinarily uſed for the bazar.”

Upon ſuch certificate ſigned by the commanding officer being produced to the judge who iſſued the proceſs, he ſhall cauſe the ſame to be recorded in his cutchery, and ſhall make an order for releaſing the perſon arreſted from confinement; but the plaintiff ſhall be at liberty if he thinks fit, to proceed in his action, and ſhall be bound to prove at the trial, either that the cauſe of action exceeds ſicca rupees two hundred, or that the defendant was not regiſtered as attached to the bazar of the corps, or that although regiſtered, he was not actually and bonâ fide carrying on the occupation in reſpect of which he was ſo regiſtered at the time of the action brought, and in failure of ſuch proof, he ſhall be nonſuited with coſts.

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XXVI. Nothing in this regulation is to be conſtrued to give any authority to commanding officers to diſpoſſeſs proprietors of land or houſes which may be ſituated within the limits of military bazars, although ſuch perſons ſhall refuſe to be regiſtered as attached to the bazar, or ſhall have loſt or forfeited, or reſigned their privilege of regiſtry. In all caſes in which the ground allotted to thoſe bazars, or any part of it, is the property of government, and the occupation of individuals has been declared by government merely permiſſive, the commanding officer is impowered to make ſuch general regulations as he may think fit (ſubject to the approbation of the Governor General in Council) reſpecting the tenure or occupation of houſes, ſhops, or other fixed places ſituated upon ſuch ground as belongs to government, which regulations ſhall in all caſes be reduced to writing, and ſhall after receiving the approbation of the Governor General in Council, be publiſhed in ſtation orders, with a tranſlation in the language commonly uſed in the diſtrict, and the ſame ſhall not be of force until fourteen days after they ſhall have been ſo publiſhed within the limits of the ſtation bazar.

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MIDNAPORE MAGISTRATES OFFICE 1846

BENGAL SECRETARIAT LIBRARY

TITLES
OF THE
REGULATIONS,
PASSED IN THE
YEAR

[illegible]I.

REGULATION

I.

ULATION *for making more adequate proviſion for the* ent *of perſons found guilty of the offence of breaking into* ents, *or boats; for ſubjecting to exemplary puniſhment,* receiving *or purchaſing plundered or ſtolen property; and* nting *licenſes to gold or ſilver-ſmiths, braziers, or copper-* ron-*ſmiths, pawn brokers, retail venders of braſs or copper* and *pykars or itinerant dealers in ſecond-hand articles.—* the *15th February,* 1811.

II.

LATION *for amending the exiſting rules for the ſupport* d *native commiſſioned and non-commiſſioned officers.—Paſſ-* 5th *April,* 1811.

III.

REGULATION.

III.

A REGULATION *for the conduct of the trade of foreign nations with the ports and ſettlements of the British nation in the [illegible] Indies; and for defining the duties to which ſuch trade ſhall be ſubject at ſuch of the ſaid ports and ſettlements, as are immediately dependent on the Preſidency of Fort William.—Paſſed on [illegible] April,* 1811.

IV.

A REGULATION *for granting exemptions in certain caſes [illegible] the payment of the tax eſtabliſhed on houſes, by Regulation [illegible]* 1810.*—Paſſed on the* 28*th May,* 1811.

V.

A REGULATION *for eſtabliſhing a duty on the manufacture and vend of a Liquor, denominat[illegible] and for making certain alterations in Regulations V[illegible]* 1800; *and* XL, [illegible] *—Paſſed on the* 28*th May,* 1[illegible]

VI.

A REGULATION *for reſcinding ſuch parts of Regulation* [illegible] 1793, *as declare the holders of lakeraje and malgoozary [illegible] entitled to a compenſation on account of the abolition of the [illegible] Paſſed on the* 14*th June,* 1811.

VII.

A REGULATION *for limiting and better defining the powers of the police darogahs, and of zemindars inveſted with the charge of the police, with reſpect to perſons charged with, or ſuſpected of the commiſſion of public crimes and offences.—Paſſed on the* 25*th June* 18[illegible]

VIII.

A REGULATION *for modifying certain parts of Regula[illegible]* XXXI, *and* XXXVI, 1803.*—Paſſed on the* 16*th July* 1811.

REGULATION.

IX.

REGULATION *for ſacilitating the diviſion of landed property, and for ſecuring the rights of joint ſharers in joint undivided eſtates. —Paſſed on the 30th July 1811.*

X.

REGULATION *for preventing the importation of ſlaves from foreign countries, and the ſale of ſuch ſlaves in the territories, immediately dependent on the Preſidency of Fort William —Paſſed on the 6th August 1811.*

XI.

REGULATION *for extending the period fixed by the exiſting regulations for reviſing the jumma on lands, ordered to be divided into two or more eſtates —Paſſed on the 20th Auguſt 1811.*

XII.

A REGULATION *for augmenting the number of judges of the courts of Sudder Dewanny Adawlut and Nizamut Adawlut, according as may from time to time appear neceſſary for the diſpatch of the buſineſs of thoſe courts.—Paſſed on the 27th Auguſt, 1811.*

XIII.

A REGULATION *for the more convenient and efficient diſcharge of the duties of the Board of Revenue.—Paſſed on the 18th October, 1811.*

XIV.

A REGULATION *for amending the proviſions of the exiſting regulations, affecting the puniſhment of criminals by tranſportation, and for modifying the rules in force regarding the offices of judge and magiſtrate of the 24 Perguunahs.—Paſſed on the 3d December, 1811.*

A. D. 1811. REGULATION I.

A REGULATION *for making more adequate proviſion for the puniſhment of perſons found guilty of the offence of breaking into houſes, tents, or boats; for ſubjecting to exemplary puniſhment, perſons receiving or purchaſing plundered or ſtolen property; and for [illegible] licenſes to gold or ſilver ſmiths, braziers, or copper ſmiths, iron ſmiths, pawn-brokers, retail venders of braſs or copper wares, and pykars or itinerant dealers in ſecond hand articles.*—PASSED *by the Governor General in Council, on the 15th day of February* 1811; *correſponding with the* 5th *Phaugoon* 1217 *Bengal era; the* 7th *Phaugoon* 1218 *Fuſſily; the* 6th *Phaugoon* 1218 *Willaity; the* 7th *Phaugoon* 1867 *Sumbut; and the* 20th *Mohurrum* 1226 *Higeree.*

Preamble.

WHEREAS the offence of breaking into houſes, tents, and boats, with an intent to rob, has become prevalent in ſeve- of the diſtricts in the provinces of Bengal, Behar and Oriſſa; And ereas it is eſſential to the protection of the perſons and property of the community that adequate puniſhment ſhould be eſtabliſhed fo the commiſſion of that crime, and likewiſe for the commiſſion of the offence of receiving or purchaſing plundered or ſtolen property by perſons, knowing the ſame to have been ſo acquired; and whereas it is further eſſential to eſtabliſh proper reſtraints on the receipt of all ſuch property by gold and ſilver ſmiths, braziers, or copper ſmiths, iron ſmiths, pawn brokers, retail venders of braſs or copper wares, and pykars or itinerant dealers in ſecond hand articles; the following rules have been enacted by the Governor General in Council, to be in force from the period of their promulgation in the provinces of Bengal, Behar, and Oriſſa.

Certain proviſions in Section V, Regulation LIII, 1803, and Section VI, Regulation III, 1805, modified.

II. *Firſt.* The proviſions contained in Section V, Regulatio LIII, 1803, and in Section VI, Regulation III, 1805, and i other exiſting regulations for the puniſhment of perſons, who ma be convicted of the crime of burglary by nuccubzunnee or any oth mode of houſe breaking, are hereby declared ſubject in the provinces of Bengal, Behar, and Oriſſa, to the following modification

Offence to which the preſent regulation is intended to apply.

Second. The offence to which the proviſions of the preſent regulation are intended to apply is hereby defined to be, the breakin either by day or by night, with intent to rob, into any dwellin houſe, whether conſtructed of ſtone, brick, mud, bamboo, gra or other materials; or into a tent, boat, or other place of habitation; whether ſuch entry be effected by cutting through or und the wall (nuccubzunnee), or by any other means attended wi breaking; and whether in purſuance of the intent to commit ſuc robbery, any property ſhall be carried away or otherwiſe.

Sentence to be paſſed on perſons convicted of the above offence committed between ſun-ſet and ſun-riſe.

III. *Firſt.* Any perſon or perſons who may hereafter be co victed before the courts of circuit of the commiſſion of the o fence above deſcribed, between ſun-ſet and ſun-riſe, whether ſu conviction be founded on the free and voluntary confeſſion of t offender, or on the direct teſtimony of credible witneſſes to th fact, or on ſtrong circumſtantial evidence, ſhall be ſentenced to imprisonment in baniſhment during the term of fourteen years, and to corporal puniſhment not exceeding thirty-nine ſtripes of the corah.

Sentence to be paſſed on perſons convicted of that offence committed between ſun-riſe and ſun ſet.

Second. Any perſon or perſons, who ſhall be convicted of the crime above defined, committed between ſun-riſe and ſun-ſet, ſhall be ſentenced to impriſonment in baniſhment for ſeven years, and to corporal puniſhment not exceeding twenty ſtripes of the corah.

Sentence to be paſſed on perſons convicted of breaking into ware-houſes, &c.

Third. Any perſon, who may hereafter be convicted of the offence of breaking into any warehouſe, ſtorehouſe, or other building, or place uſed for the cuſtody and preſervation of property, either by day or by night, with the intent to rob, ſhall be ſentenced to impriſonment for the term of ſeven years, and to corporal puniſhment not exceeding twenty ſtripes of the corah, whether in purſuance of the intent to commit ſuch robbery, any property ſhall have been actually carried away or otherwiſe. Provided however, that nothing contained in any part of this regulation, ſhall be conſtrued to ſuperſede the proviſions contained in Regulation VIII, 1808, or in any other regulation regarding the puniſhment of perſons convicted of the crime of dacoity or robbery by open violence.

Sentence to be paſſed on any perſon convicted of killing another in the attempt to commit any of the above crimes.

Fourth. Should any perſon, in the commiſſion, or in the attempt to commit any of the ſpecies of the crime ſtated in the preceding clauſes, kill another, the offender ſhall be adjudged to ſuffer death.

Perſons aiding or abetting, declared liable to the ſame puniſhment as principals.

IV. All perſons who may be convicted of having been preſent, aiding and abetting in the commiſſion of any of the offences above deſcribed, or although not preſent, of having procured or cauſed by hire, counſel, or command, the perpetration of ſuch robbery or attempt to rob, or in any manner of confederating with the robbers in purſuance of a preconcerted plan for that purpoſe, ſhall be adjudged to ſuffer the ſame puniſhment, as the principals concerned in the crime are declared liable to, under the different clauſes of the preceding ſection.

In what caſes the judge is not to paſs ſentence but to tranſmit the trial with his opinion to the Nizamut Adawlut.

V. In trials, in which any of the priſoners are liable to a ſentence of death, and likewiſe in trials referrible to the Nizamut Adawlut, in conſequence of the diſapproval by the judge of circuit of the futwa of his law officer, the judge ſhall not paſs ſentence (except for the acquittal and diſcharge of priſoners not convicted) but ſhall tranſmit the trial with his opinion thereupon for the ſentence of the Nizamut Adawlut.

Perſons on whom a ſeend-katee may be found how to be deals with,

VI. Any perſon or perſons upon whom the inſtrument denominated a *ſeend katee*, uſed for the known purpoſe of nuccubzunnee may hereafter be found, ſhall be detained by the magiſtrate in ſafe cuſtody, and employed to work on the public roads until he ſhall give ſecurity for his future good conduct, or until the court of circuit (before whom a liſt of perſons ſo detained, is required to be laid by the magiſtrate at each ſeſſions of jail delivery) ſhall on reviſion of the proceedings held by the magiſtrate, direct the diſcharge of the priſoner on a mochulka.

Perſons convicted of knowingly receiving or buying ſtolen goods, &c. to be ſentenced to impriſonment and corporal puniſhment.

VII. Any perſon who may hereafter be convicted, whether by his free and voluntary confeſſion, or by the teſtimony of credible witneſſes to the fact, or by ſtrong circumſtantial evidence of the offence of receiving or buying ſtolen goods, cattle, jewels or effects of whatever deſcription, knowing the ſame to be ſtolen, ſhall be ſentenced to impriſonment for the period of ſeven years, and to corporal puniſhment not exceeding thirty nine ſtripes of the corah.

Puniſhment of perſons convicted of knowingly receiving or buying goods &c. plundered by decoits.

VIII. If any perſon or perſons ſhall purchaſe or receive plundered property of any deſcription whatſoever, knowing ſuch property to have been obtained by robbery by open violence, (dacoity or Rahzunnee) ſuch perſon or perſons, being duly convicted of ſuch offence, ſhall be ſentenced to impriſonment during the term of fourteen years, and to receive thirty nine ſtripes of the corah, unleſs the judge of circuit, in conſideration of the age or bodily infirmity of the priſoner or priſoners, ſhall ſee cauſe to mitigate or remit the latter part of the ſentence.

In what caſes perſons concerned in houſe breaking may receive a pardon.

IX. *Firſt.* Any perſon who may have been concerned in the commiſſion of the crime of breaking into any houſe, tent or boat, as deſcribed in Section II, of this Regulation, or of robbery by open violence as defined in Section III, Regulation LIII, 1803, but which ſhall not have been attended with murder, wounding, or other aggravating act of perſonal violence, whether ſuch perſon ſhall be in cuſtody or otherwiſe, ſhall be intitled, upon giving ſuch information to the magiſtrate, at any time previous to conviction, as ſhall lead to the apprehenſion and conviction of the principal receiver or receivers, purchaſer or purchaſers, of the property robbed or ſtolen, to receive a pardon for the ſaid offence: and the magiſtrate ſhall, without delay tranſmit to the court of Nizamut

Adawlut a report of the circumſtances of the caſe, together with a copy of any proceedings which may have been previouſly held by him upon the charge againſt the informer: and the court of Nizamut Adawlut will authorize and confirm ſuch pardon by a written certificate, under the ſeal of that court, as provided by Section V, Regulation XIV, 1810, to be delivered by the magiſtrate, on the conviction of the receiver or purchaſer of the ſtolen property, to the party who may be entitled to the ſame.

Zillah and city magiſtrates, and judges of circuit, may recommend a conditional offer of pardon in certain caſes.

Second. The zillah and city magiſtrates, and the judges of the courts of circuit, ſhall report for the conſideration of the Nizamut Adawlut, any caſe in which they may conſider it expedient to make a conditional offer of pardon to any perſon whether in cuſtody or otherwiſe (not being a principal offender) who may have been privy to, or concerned in, any offence of the nature defined in Clauſe Second, Section II, of this Regulation, or in the crime of robbery by open violence, as defined in Section III, Regulation LIII, 1803, which may have been attended with murder, wounding, or other aggravating acts of violence, upon ſuch perſon giving information which may lead to the diſcovery, apprehenſion and conviction of the principal receiver or receivers, purchaſer or purchaſers, of the ſtolen property. The zillah and city magiſtrates and the courts of circuit ſhall at the ſame time ſubmit to the court of Nizamut Adawlut, all the information obtained by them reſpecting the privity or other criminality of the perſon for whom the pardon is propoſed, and ſo much of the circumſtances of the caſe as may be neceſſary to enable the court of Nizamut Adawlut to determine on the expediency of authorizing the pardon recommended.

In what caſes receivers or buyers of ſtolen goods may receive a pardon.

Third. It is further hereby declared, that any perſon or perſons who may have been guilty of the offence of knowingly receiving or purchaſing ſtolen goods, cattle or effects of whatever deſcription, but who ſhall at any time previous to conviction render up to the magiſtrate, or to a police darogah, ſuch ſtolen goods, cattle or effects, and ſhall give information leading to the apprehenſion and conviction either of the vender thereof, or of the principals concerned in the theft or robbery, ſhall in like manner, upon a report to be ſubmitted by the zillah or city magiſtrate, or by the court of circuit to the Nizamut Adawlut, receive a pardon for the ſaid offence, under the ſeal of the court, to be delivered by the magiſtrate as directed in the preceding ſection to the party entitled to the benefit of ſuch pardon.

Landholders and native revenue officers declared accountable for the early communication of information reſpecting receivers of ſtolen goods under penalties.

X. All zemindars, talookdars, and other proprietors of lands, whether malgoozary or lackeraje, all ſudder farmers and under renters of land of every deſcription, all dependant talookdars, all naibs and other local agents, all native officers employed in the collection of the revenue and rents of lands on the part of government or of the court of wards, are hereby declared accountable for the early communication to the magiſtrate, either ſecretly or publicly, of all information which they may obtain reſpecting the reſidence of any notorious receiver or vender of ſtolen property, within the limits of the eſtate or farm held or managed by them, and any landholder or other deſcription of perſons above noticed, to whom ſuch reſponſibility is declared to attach, who may neglect to give the information hereby required to the police darogah, or to the magiſtrate, ſhall on proof of ſuch neglect, after a ſimilar enquiry to that directed by Section XIII, Regulation IX, 1808, be ſentenced by the magiſtrate to pay a fine, or to ſuffer impriſonment not exceeding the limitation therein ſpecified.

XI.

Rules for ſearching after ſtolen goods.

XI. *Firſt.* The following rules ſhall be obſerved with reſpect to the ſearch for ſtolen property.

Second The ſearch for ſtolen property ſhall, with the exceptions hereafter mentioned, be uniformly made in the day time, and under a ſpecial warrant from the magiſtrate. The following is the form of the warrants to be iſſued on occaſions of this nature.

Form of ſearch warrant.

"Whereas there is ſtrong cauſe to ſuſpect, that ſtolen goods or effects are concealed within the dwelling houſe or premiſes of ——— (name and caſt of ſuſpected perſon) inhabitant of (name of village or other place of reſidence), you are hereby authorized and required with neceſſary and proper aſſiſtance, to enter into the ſaid dwelling houſe or premiſes of the ſaid (name), and if any goods or effects ſhall be found therein, which there may appear cauſe to ſuſpect to have been ſtolen, you are required to bring the property ſo found, and alſo the perſon of the ſaid (name) before this court."

To whom ſearch warrants are to be addreſſed.

Third. All ſearch warrants which may be iſſued under this ſection, ſhall be addreſſed to the police darogah, within whoſe juriſdiction the houſe or premiſes required to be ſearched may be ſituated, or to any other public and regiſtered officer of police to whom the magiſtrate may judge fit to commit the execution of that duty.

In what caſes to be iſſued.

Fourth. Search warrants for the recovery of ſtolen property ſhall not be iſſued, unleſs the complainant or informer ſhall make oath or ſubſcribe a ſolemn declaration, that a robbery has been actually committed, and that he has reaſonable cauſe to ſuſpect that the effects ſtolen are lodged in ſuch a houſe or place, or unleſs it ſhall appear incidentally from any proceeding holden by the magiſtrate, that there are grounds to believe, that ſtolen property is there depoſited.

How to be executed.

Fifth. Search warrant ſhall be always executed in the preſence of three or more of the reſpectable inhabitants of the village, in which the houſe or place ſearched may be ſituated; and an opportunity ſhall in every inſtance be afforded the occupant of the houſe of attending the ſearch.

Sixth. Should the occupant of the houſe ordered to be ſearched be of ſuch a rank in ſociety as would render it improper and objectionable, according to the prevailing opinions and uſages of the country, for the officers of police to enter the zenana or apartments of the women, the rules preſcribed by Section X, Regulation VII, 1799, ſhall be ſtrictly obſerved; but the officers commiſſioned to ſearch, ſhall at the ſame time uſe every precaution, conſiſtent with the ſpirit of thoſe rules, to prevent any property from being clandeſtinely removed.

Rule when property may be claimed as ſtolen or ſuſpected of being illegally acquired.

Seventh. If on examining the premiſes ordered to be ſearched, any property be diſcovered which ſhall be alleged by the complainant or informer, at whoſe inſtance the ſearch warrant was iſſued, to have been ſtolen or plundered, or which there may be any other reaſonable ground to believe, has been illegally acquired, the darogah or other officer of police by whom the ſearch may have been conducted, ſhall immediately ſend the ſaid property together with the occupant of the houſe, in which it may have been found, to the magiſtrate.

How the magiſtrate is to proceed in ſuch caſes.

Eighth. On the production of the property and appearance before the magiſtrate of the party, in whoſe poſſeſſion it was found, he or they ſhall be required to explain by what means it was obtained, and if it was acquired by purchaſe, to ſtate the name of the perſon, together with his place of reſidence, from whom it was bought. If the holder or holders, of the property ſhall be unable after the above, and ſuch further examination as the magiſtrate may make, to give a ſatisfactory account of the means by which it was acquired, and the magiſtrate ſhall on conſideration of that and all the other circumſtances of the caſe, think that there are ſtrong grounds for believing that the property was actually ſtolen or otherwiſe illegally acquired, he ſhall detain the property and iſſue a publication (ſuppoſing no perſon to have hitherto appeared to claim it) ſpecifying the particular articles of property diſcovered and ſuſpected to have been ſtolen or otherwiſe diſhoneſtly acquired, and requiring any perſon who may have claims to it, to appear and eſtabliſh his or her right thereto, within ſix months from the date of the ſaid publication.

Caſes of property claimed to be regularly inveſtigated.

Ninth. Whenever any perſon may advance claims to property diſcovered in the mode ſtated in the preceding clauſes, the magiſtrate will of courſe put the caſe into a regular courſe of proſecution under the general regulations.

How the magiſtrate is to proceed when no claim is made within a limited period.

Tenth. If no perſon ſhould appear within the period of ſix months from the date of the above mentioned publication, to claim property depoſited in the cuſtody of the magiſtrate under the rules contained in this ſection, and if the party in whoſe poſſeſſion ſuch property was found ſhall have been unable to ſhew, that it was legally acquired, and to remove the ſuſpicions which exiſted that it was diſhoneſtly obtained, the ſaid property ſhall in ſuch caſe be declared by the magiſtrate confiſcated to government.

Ornaments or utenſils of gold, ſilver, or copper, confiſcated to government, to be broken up and ſold.

Eleventh. Whenever the neceſſity may in the opinion of the magiſtrate, ceaſe to exiſt for retaining any longer any gold or ſilver ornaments, or braſs or copper utenſils which may have been confiſcated to government, ſuch ornaments and utenſils ſhall be broken up and ſold at his public cutchery as bullion or old metal.

How perſons finding property loſt or ſtolen are to proceed.

Twelfth. Any perſon who may find property of any deſcription within his own houſe or premiſes, which he may have reaſon to believe to have been loſt or ſtolen, or to have been depoſited within his houſe or premiſes with a malicious intent, ſhall within twenty-four hours after finding ſuch property, convey it to the neareſt police darogah, reporting to the ſaid darogah the circumſtances attending the diſcovery of the ſaid property; and the darogah ſhall commit to writing the circumſtances which may be ſtated by the perſon finding the property, and cauſe the ſame to be ſigned and atteſted by two or more witneſſes preſent, and ſuch atteſted writing, together with the property found, ſhall be forwarded by the darogah without delay to the magiſtrate.

Rules as to the time for conducting ſearches for ſtolen property.

Thirteenth. It is above enacted, that the ſearch for ſtolen property ſhall in all practicable caſes be conducted in the day time, and under a ſpecial warrant from the magiſtrate. If however a magiſtrate ſhall in any inſtance have reaſonable ground to apprehend, that ſtolen property will be removed if the ſearch be poſtponed, he may order the ſearch to be made immediately, whether it be during the day or night.

Rules for ſearches by the darogahs without a ſpecial warrant.

Fourteenth. With reſpect to the ſearch which may be made by the darogahs for ſtolen or plundered property otherwiſe than under a ſpecial warrant from the magiſtrates, the following rules ſhall be ſtrictly obſerved.

Darogahs not to ſearch the interior of houſes without a written repreſentation.

Fifteenth. The darogahs are prohibited from ſearching the interior of any houſe or other building for ſtolen or plundered property without a written repreſentation, ſtating that a robbery has been committed, and that the informant, whether he be the owner of the property, an accomplice in the offence, or other perſon, has ſubſtantial ground to believe that the property is depoſited in ſuch a houſe or place.

Such repreſentations to be tranſmitted to the magiſtrate.

Sixteenth. The darogahs ſhall uniformly tranſmit the repreſentations ſo made to them, at or before the time that they may proceed to the ſearch, to the magiſtrate for his information, and for any orders which he may deem it neceſſary to iſſue on the ſubject.

Seventeenth.

Darogahs to conduct ſearches by the rules eſtabliſhed for ſpecial warrants.

Seventeenth. In the actual conduct of the ſearch, the darogahs ſhall conform to the ſame rules as are eſtabliſhed for the performance of that duty under ſpecial warrants from the magiſtrate.

Time for darogahs making ſuch ſearches.

Eighteenth. The darogahs ſhall likewiſe conform to the principle of the rules contained in Clauſes Second and Thirteenth of this ſection, that is, the ſearch for ſtolen property ſhall always be made during the day, unleſs there ſhall be reaſon to believe that in caſe of any delay the property ſought will be removed.

Perſons prohibited from exerciſing certain trades without licenſe.

XII. *Firſt.* All perſons are prohibited from exerciſing any of the following trades without taking out a licenſe from the magiſtrate of the zillah or city in which they may reſide, and having entered into the engagements hereafter ſpecified:—

Gold or ſilver ſmiths,
Braziers or copper ſmiths,
Iron ſmiths,
Paun-brokers,
Retail venders of braſs or copper wares,
Pykars or itinerant dealers in ſecond hand articles.

Proclamation to that effect to be iſſued.

Second. A proclamation ſhall be publiſhed by the ſeveral zillah and city magiſtrates in every principal town and village throughout their reſpective juriſdictions and at the ſudder cutcherry of the ſtation, giving publicity to the prohibition contained in the foregoing Clauſe, and requiring all perſons who may be deſirous of exerciſing any of the trades therein ſpecified, to attend at the cutcherry of the magiſtrate within the period of two months from the date of the proclamation, for the purpoſe of taking out a licenſe.

When this rule is to commence.

Third. The rules contained in this ſection ſhall have effect from the expiration of the period above ſpecified.

Fourth. The licenſes which may be granted in the firſt inſtance ſhall extend to the expiration of the enſuing Bengal, Fuſſily or Willaity year. After that period, the operation of licenſes which may be granted, ſhall not extend beyond the period of one year; and all licenſes iſſued either at the commencement or in the courſe of each year, ſhall ceaſe on the expiration of that year.

Forms of licenſes.

XIII. *Firſt.* The following are the general forms of licenſes to be granted under the preceding ſection.

Form of licenſe of gold or ſilver ſmith.

Whereas A. B. inhabitant of (city, town or village) in the juriſdiction of (tannah or ward), is hereby authorized to keep a ſhop and carry on the buſineſs of a gold or ſilver ſmith in (place aforeſaid) from the date hereof until the (period), correſponding with (Bengal date). It is required of the ſaid A. B. as the condition of this licenſe remaining in force, that he do faithfully perform and abide by the conditions ſpecified in the following articles:

Conditions of the licenſe.

1ſt. That he will not take, purchaſe, or receive in pledge any ſecond hand gold or ſilver perſonal ornaments, or defaced gold or ſilver from ſuſpicious perſons; nor from any perſon unknown to him, except on the reſponſibility of a creditable houſeholder, teſtifying to the character and vouching for the honeſty of the perſon tendering the articles for ſale or pledge.

2d. That he will not melt down or deface any gold or ſilver perſonal ornaments which may be brought to him for that purpoſe, without previouſly giving intimation to the police darogah within whoſe juriſdiction he may reſide.

3d. That he will keep a regiſter of all ſecond hand ornaments and plate purchaſed by him, and of all gold and ſilver melted down by him in the courſe of the year, ſpecifying the name and place of reſidence of the vender, the ſpecies or deſcription of article, and the date on which it may have been brought for the purpoſe of being melted down or remade; and in the caſe of an unknown perſon, the name of the houſeholder on whoſe reſponſibilty the article was taken.

4th. That he will produce the above regiſter at any time when required for the inſpection of the magiſtrate, or of the police darogah within whoſe juriſdiction his ſhop may be eſtabliſhed.

5th. That with the exception mentioned in Section XVI, of this regulation, he will confine his place of work to one ſhop in the city, town or village, ſpecified in his licenſe.

6th. That upon any breach of the above conditions, or on proof of any miſconduct relating to his buſineſs, the licenſe ſhall be held forfeited.

SEAL AND SIGNATURE OF THE MAGISTRATE.

Form of licenſe of a braſs or copper ſmith.

Second. Whereas A. B. inhabitant of (city, town, or village) in the juriſdiction of (tannah or ward), is hereby authorized to open a ſhop for the manufacture and ſale of braſs and copper wares, and to carry on the ſaid buſineſs in the aforeſaid (city, town or village) from the date hereof, until the ——————. It is required of the ſaid A. B. as the condition of this licenſe remaining in force, that he perform and abide by the conditions ſpecified in the following articles:

Conditions of the licenſe.

1ſt. That he will not take, purchaſe, or receive in mortgage any ſecond hand braſs, or copper houſehold utenſils, which he may have reaſon to ſuſpect to have been ſtolen or otherwiſe illegally acquired.

2d. That he will not melt down or deface any ſecond hand braſs or copper houſehold utenſils; which may be brought to him for that purpoſe without giving previous intimation to the police darogah, within whoſe juriſdiction he may reſide.

3d. That he will keep a regiſter of all articles of the above deſcription purchaſed, and of all old metal melted down by him in the courſe of the year, ſpecifying, the name and place of reſidence of the proprietor, the deſcription of articles, and the date on which they may have been purchaſed or brought for the purpoſe aforeſaid.

4th. That he will produce the above regiſter at any time when required for the inſpection of the magiſtrate, or the police darogah within whoſe juriſdiction his ſhop may be eſtabliſhed.

5th. That he will confine his place of work to one ſhop in the city, town, or village ſpecified in his licence.

6th. That upon breach of any of the above conditions, or on proof of any other miſconduct relating to his buſineſs, this licenſe ſhall be held forfeited.

SEAL AND SIGNATURE OF THE MAGISTRATE.

Form of licenſe of iron ſmith.

Third. Whereas A. B. Inhabitant of (city, town or village) in the juriſdiction of (tannah or ward), is hereby authorized to open a ſhop for the manufacture of iron wares, and to carry on the ſaid buſineſs in the aforeſaid (city, town or village) from the date hereof until the ————. It is required of the ſaid A. B. as the condition of this licenſe remaining in force, that he perform and abide by the conditions ſpecified in the following articles:—

Conditions of the licenſe.

1ſt. That he will not manufacture any ſeendkatee or inſtruments uſed for the known purpoſe of nuccubzunnee or burglary, nor ſell falſe keys or pick locks.

2d. That he will not manufacture any implements uſed for the purpoſe of coining counterfeit money.

3d. That he will keep a regiſter of all weapons of offence or defence made by him, ſpecifying the deſcription of inſtrument, the name and place of reſidence of the perſon to whom ſold, and the date of ſale.

4th. That ſuch regiſter ſhall be at all times forthcoming when required for the inſpection, either by the magiſtrate, or the police darogah within whoſe juriſdiction he may reſide.

5th. That he will confine his place of work to one ſhop in the city, town, or village ſpecified in his licenſe.

6th. That upon breach of any of the above conditions, or on proof of any other miſconduct relating to his buſineſs, this licenſe ſhall be held forfeited.

SEAL AND SIGNATURE OF THE MAGISTRATE.

Form of licenſe of pawnbrokers.

Fourth. Whereas A. B. Inhabitant of (place of reſidence) within the juriſdiction of (ward or tannah), is hereby authorized to carry on the buſineſs of a pawnbroker in the ſaid (city, town or village) from the date hereof until the ————. It is required of the ſaid A. B. as the condition of this licenſe remaining in force, that he perform and abide by the conditions ſpecified in the following articles.

Conditions of the licenſe.

1ſt. That he will not take, purchaſe, or receive in pawn any ſecond hand gold or ſilver perſonal ornaments, braſs or copper houſehold utenſils, which he may have reaſon to believe or grounds to ſuſpect to have been ſtolen, or otherwiſe illegally acquired.

2d. That on any property of whatever deſcription being tendered for ſale, or to be pawned, which there ſhall appear cauſe to ſuſpect to have been ſtolen, he will detain ſuch property and give immediate intimation to the police darogah within whoſe juriſdiction he may reſide.

3d. That he will keep an accurate regiſter of all ſecond hand articles of property ſold, pawned to, or otherwiſe received by him, ſpecifying the name and place of reſidence of the proprietor, the deſcription of articles, and the date of their being ſo ſold or pawned.

4th. That he will produce the ſaid regiſter when required for inſpection, either by the magiſtrate or by the police darogah within whoſe juriſdiction he may reſide.

5th. That he will confine his buſineſs to one ſhop in the city, town or village, in which he may reſide.

6th. That on breach of any of the above conditions, or on proof of any other miſconduct relating to his buſineſs, the licenſe ſhall be held forfeited.

Seal and signature of the Magistrate.

Form of licenſe of retail venders of braſs or copper wares.

[illegible] Whereas (A. B.) inhabitant of (city, town or village,) in the juriſdiction of (tannah or ward), is hereby authorized to open a ſhop and carry on the buſineſs of a retail vender of braſs and copper wares in the aforeſaid (city, town or village) from the date hereof until the ——————. It is required of the ſaid (A. B.) as the condition of this licenſe remaining in force, that he do faithfully abide by and perform the conditions of the following articles:

Conditions of the licenſe.

1ſt. That he will not take, purchaſe or receive in pawn any ſecond hand braſs or copper utenſils, which he may have grounds to ſuſpect have been ſtolen or otherwiſe illegally acquired.

2d. That on any ſecond hand braſs or copper wares being brought to him for ſale or pawn, which he may ſuſpect to have been ſtolen, or otherwiſe illegally acquired, he will detain ſuch articles and give immediate intimation to the police darogah within whoſe juriſdiction he may reſide.

3d. That he will keep a regiſter of all ſecond hand ar
braſs or copper ware purchaſed by him in the courſe of th

4th. That he will confine the place of vend of ſuch
to one ſhop or houſe in the city, town or village ſpecifie
licenſe.

5th. That upon any breach of the above condition
proof of any other miſconduct relating to his buſineſs, th
ſhall be held forfeited.

SEAL AND SIGNATURE OF THE MAGI

Form of licenſe of pykars, or itinerant dealers in ſecond hand articles.

Sixth. Whereas A. B. inhabitant of (city, town or
has obtained a licenſe to traffick in the purchaſe and ſale
hand articles from the date hereof until the ————
required of the ſaid A. B. as the condition of thi
remaining in force that he ſtrictly conform to the following

Conditions of the licenſe.

1ſt. That he will not purchaſe, or receive in pl
article of ſecond hand property which he may have gr
ſuſpect has been ſtolen or otherwiſe illegally acquired.

2d. That if any ſuch property be tendered to him,
detain the property and immediately carry it to the cu
darogah, within the limits of whoſe authority he may re

3d. That he will not diſpoſe of any ſecond hand
which may have been purchaſed by him, except in t
bazars, gunges, and hauts, and in open day.

4th. That he will not purchaſe or ſell any article exce
the city, town or limits of the tannahs ſpecified in his li

5th. That he will keep an accurate regiſter of al
hand articles purchaſed and ſold by him, ſpecifying t

of the vender and purchaſer, their places of reſidence reſpectively, and the date on which the ſaid articles were purchaſed and ſold.

That he will produce the ſaid regiſter whenever required inſpection of the magiſtrate or darogah within whoſe on he may reſide.

That on breach of any of the foregoing conditions or on any other miſconduct relating to his buſineſs, the license ll be liable to be reſumed by order of the magiſtrate.

SEAL AND SIGNATURE OF THE MAGISTRATE.

Engagements to be executed by perſo[illegible]ing licenſes.

Perſons receiving licenſes under the preceding ſection, ute engagements according to the following form, to nd perform the conditions of their licenſes.

Form of engagements.

Whereas I (A. B.) having received from the magiſtrate of h or city) a licenſe to eſtabliſh a ſhop and carry on the f (trade) within the (place) in the juriſdiction of (tanrd) until the ———————, do hereby engage to abide rform the ſeveral conditions ſpecified in the ſaid licenſe hem) in failure whereof the ſaid licenſe ſhall be held

Limitation of licenſes as to place.

With the exception mentioned in the following ſection, which may be granted in virtue of this regulation nſtrued to authorize or empower any perſon or perſons cture or deal in gold or ſilver, braſs or copper wares, exh houſe, ſhop or place, as ſhall be ſpecified in the herein ſuch perſon or perſons may dwell.

Rules as to employing private ſonars.

The private employment of ſonars, with the exception have obtained licenſes under the foregoing rules, is hibited, except under the following reſtrictions: ſhould be deſirous of retaining in his private employment a ſonar to work within his own houſe, he ſhall apply to the ma- giſtrate for his permiſſion, and all ſonars ſo employed are re- quired to take out licenſes in the ſame manner as the public ſonars; and the employer of every ſuch private ſonar, ſh viouſly to obtaining permiſſion to retain ſuch private ſerv come ſecurity for his appearance when required by the trate under pain of forfeiting in caſe of failure the ſum rupees.

Penalty for employing private ſonars without permiſſion.

XVII. Any perſon employing a ſonar (the public licenſed ſonars excepted) in his own houſe, without having obtained ſion for that purpoſe from the magiſtrate, and without b ſecurity for the appearance of ſuch ſonar as above preſcrib on conviction of ſuch offence, be liable to a penalty of one rupees, commutable in default of payment, to impriſon a period not exceeding three months.

Licenſes to be numbered and regiſtered.

XVIII. All licenſes granted by the magiſtrates un regulation, ſhall be iſſued in numerical order, and a ſeparat ſhall be kept in the office of the magiſtrate of each deſcr licenſe according to the form hereafter preſcribed.

Darogahs to be furniſhed with monthly liſts of licenſes.

XIX. The magiſtrates are required to furniſh the po gahs with monthly liſts of all perſons who may receiv within the juriſdiction of their reſpective tannahs.

Darogahs authorized to apprehend unlicenſed perſons exerciſing the above trades who ſhall be fined on conviction.

XX. *Firſt.* The police darogahs and other officers of enjoined to apprehend and to forward to the magiſtrate wi ty-four hours under ſafe cuſtody, any perſon exerciſing trades ſpecified in Section XII, of this regulation, who have taken out a licenſe or whoſe name ſhall not app regiſter of licenſed perſons above directed to be kept at th and any perſon convicted of ſuch offence, ſhall be fined i of one hundred rupees, commutable in default of pa impriſonment for a period not exceeding three months.

Second. In the ſame manner the police darogahs ſhall apprehend and forward to the magiſtrate any perſon exerciſing the calling of pawn-broker or dealer in ſecond hand articles, who may not have taken out the licenſe and executed the engagement preſcribed, and perſons convicted of ſuch offence ſhall be liable to the ſame penalty as is preſcribed in the foregoing clauſe.

Similar rules as to pawnbrokers and dealers in ſecond hand articles.

Third. If any perſon ſhall refuſe to diſcharge the penalty which may be impoſed on him under the preceding ſection, the magiſtrate is to commit him to cloſe cuſtody, and to proceed to levy the penalty by the uſual proceſs for the attachment and ſale of the offender's property, and if property belonging to the offender ſufficient to make good the penalty, ſhall not be found, he ſhall be committed to the jail of the criminal court and kept to hard labor for a period not exceeding three months.

Rule when ſuch perſons refuſe to diſcharge the penalty.

XXI. The police darogahs ſhall be required by the magiſtrates to exerciſe at all times a vigilant attention over the conduct of any licenſed gold and ſilver ſmiths, braziers, retail venders of braſs and copper wares, iron-ſmiths, pawn-brokers, and itinerant dealers in ſecond hand articles, and to report any inſtance which may come to their knowledge of any breach of their engagements as well as all deaths, and other caſualties, in order that the ſame may be noted in the regiſters to be kept by the magiſtrates.

Darogahs to exerciſe a vigilant attention over ſuch perſons.

XXII. It is further provided that any perſon holding a licenſe who ſhall be guilty of a breach of the conditions thereof or other act of miſconduct (ſuch act not being of a nature to warrant his commitment before the court of circuit) ſhall be liable, on proof of the offence before the magiſtrate, in addition to the forfeiture of his licenſe, to be confined in the criminal jail, and kept to hard labor for a period not exceeding three months.

Penalty for a breach of the conditions of the licenſe.

XXIII. In all caſes in which it may appear that a perſon holding

Licenſed perſons to be pro

ceeded against for harbouring thieves, &c.

holding a license has been guilty of a more ſerious offence, such as the crime of harbouring thieves, or robbers, of connecting himſelf with them, or receiving ſtolen goods, or of any other crime puniſhable under the general laws and regulations of the country, it ſhall be the duty of the magiſtrate to commit the offender to take his trial before the court of circuit, or other-wiſe proceed againſt him in the manner preſcribed by the general regulations.

Licenſes to be delivered up or renewed at the end of each year.

XXIV. At the expiration of each year, all perſons holding licenſes under this regulation are required to deliver up the ſame to the magiſtrate on renewing their licenſes; or if they ſhould not attend at the cutcherry of the magiſtrate for the purpoſe of renewing their licenſe, they ſhall return ſuch expired licenſes to the police darogah in whoſe juriſdiction they may reſide, who is to forward the ſame to the magiſtrate in order that the return thereof may be certified in the laſt column of the form of regiſter which is herein preſcribed, and the magiſtrate ſhall cauſe to be ſummoned all perſons whoſe licenſes may not be returned within the period of one month from the expiration of the year for which they ſhall have been granted.

FORM of REGISTER of LICENSES of Silver Smiths, in zillah ——, for the year

No. of Licenſe.	Date of Licenſe.	To whom granted.	City, town or village of reſidence.	Thannah or ward in which ſituated.	For crimes, puniſhments, or penalties within the year, and date of return of expired Licenſes.

XXV. The ſeveral regiſters of licenſes of braſs and copper ſmiths, of retail venders of braſs and copper wares, of pawnbrokers and itinerant dealers, ſhall be the ſame as above. Other regiſters.

⁂

A. D. 1811. REGULATION II.

A REGULATION *for amending the exiſting rules for the ſupport of Invalid Native Commiſſioned and Non-Commiſſioned Officers.*—PASSED *by the Vice Preſident in Council, on the* 5*th April* 1811*; correſponding with the* 24*th Chyte* 1217 *Bengal era; the* 26*th Chyte* 1218 *Fuſſily; the* 25*th Chyte* 1218 *Willaity; the* 12*th Chyte* 1868 *Sumbut; and the* 10*th Rubbi ul Awul* 1226 *Higeree.*

Preamble.

BY the rules in force for the maintenance of invalid native commiſſioned and non commiſſioned officers, who may not be fit for garriſon duty, an option is allowed to ſuch officers of receiving lands on the jagheerdar eſtabliſhment, and of enjoying at the ſame time the reduced pay of their reſpective ranks, or of retiring on that pay to any part of the Company's territories. In aſſigning lands for the ſupport of the invalid commiſſioned and non commiſſioned officers, it was of courſe the intention of Government to render the latter part of their lives as comfortable as poſſible; but material inconveniences have ariſen from that arrangement both to the Government and to the invalids themſelves and their families. A difficulty has frequently occurred in obtaining the lands required for their ſupport: conſiderable delay has conſequently been experienced in aſſigning to them that proviſion. The lands, when purchaſed and rendered fit for tillage, being ordinarily ſituated in the vicinity of other lands overgrown with extenſive foreſts, have neceſſarily proved in many inſtances very inſalubrious; the habits, age, and infirmities of the invalid ſoldier diſqualify him in a great meaſure for the labour and purſuits of an huſbandman; the tendency of the exiſting arrangements to draw his immediate connections from the villages, in which they had been accuſtomed to reſide, to places recently reclaimed from jungle (frequently, as already noticed, extremely inſalubrious) has had a prejudicial influence on the comfort and health of that claſs of people. For theſe and other reaſons, connected with the happineſs of the native ſoldiery, and the convenience of the public ſervice; the Vice Preſident in Council has been pleaſed to paſs the following rules, to be in force from the period of their promulgation, throughout the territories immediately dependent on the Preſidency of Fort William.

Certain proviſions in Regulation I, 1804, and Regulation XI, 1806, reſcinded.

II. The proviſions contained in Regulation I, 1804, which declare, that all native commiſſioned and non commiſſioned invalid officers, not being fit for garriſon duty, ſhall be allowed the option of being transferred to the jagheerdar eſtabliſhment, and Section XX, Regulation XI, 1806, by which it is enacted, that native commiſſioned and non commiſſioned officers, who may be transferred to the jagheerdar eſtabliſhment, ſhall be entitled to the reduced pay of their rank, at the eſtabliſhed rates, in addition to the benefits, which they may derive from the lands aſſigned to them, are hereby reſcinded.

Native officers invalided after the date of this regulation, not to be entitled to lands, but both officers and privates unfit for garriſon duty to receive ſix months invalid pay with permiſſion to retire to ſuch part of

III. *Firſt.* Commiſſioned and non commiſſioned native officers, who may be invalided ſubſequently to the date of this regulation, ſhall not be deemed entitled to lands on the jagheerdar eſtabliſhment: but ſuch of thoſe officers, as ſhall not be conſidered fit for garriſon duty, as well as privates not fit for ſuch duty, ſhall be entitled to an advance of ſix months invalid pay of their reſpective ranks according to the rates hereafter ſpecified, with permiſſion to retire to any part of the Company's territories which they may prefer.

the Company's territories as they may prefer.

Such officers and privates entitled to draw the reduced pay of their ranks for life.

Second. All commiſſioned and non commiſſioned native officers, as well as privates, who may be invalided ſubſequently to the date of this regulation, and who may not be fit for garriſon duty, ſhall be entitled to receive for their future ſupport during their lives, the pay of their reſpective ranks eſtabliſhed by the orders of government, under date the 15th February 1811, as follows:

Rates of pay of invalids of the regular corps.

Rates of pay of invalid officers and privates of the regular corps, comprising cavalry, golundauze, infantry, miners, pioneers, gun laſcars, and ordnance drivers.

Subadars, - - -	Sonat Rs.	25	0
Jemadars and ſerangs, - - -		12	0
Havildars, naicks, native doctors, tindals, and half caſt drummers, - - -		7	0
Troopers, ſepoys, drummers (not half caſt) trumpeters, pioneers, miners of 1ſt claſs and gun laſcars, - - - -		4	0
Ordnance drivers, miners of 2d claſs, farriers, bheeſtees, ſyces, graſs-cutters and quarter maſter's laſcars. - - - -		3	0

Rates of additional pay on account of wounds or infirmities.

Rates of additional pay to perſons of the deſcription included in the above ſtatement, who may have loſt a limb, or become blind on ſervice, or have been reduced to a helpleſs ſtate by wounds received on ſervice.

		Additional Pay.		*Total.*	
Subadars, - -	St. Rs.	15	0	40	0
Jemadars and ſerangs, - -		8	0	20	0
Havildars, naicks, native doctors, tindals, and half caſt drummers, - -		5	0	12	0

Troopers,

Troopers, ſepoys, drummers (not half caſt) trumpeters, pioneers, miners of 1ſt claſs, and gun laſcars,	3 0	7 0
Ordnance drivers, miners of 2d claſs, farriers, bheeſtees, ſyces, graſs cutters and quarter maſter's laſcars.	2 0	5 0

Rates of pay to invalids of the Ramghur battalion and hill rangers.

Rates of invalid pay to invalids from the Ramghur battalion and hill rangers, who may be admitted to the penſion eſtabliſhment.

Ramghur battalion and Hindooſtanees of the hill rangers.

Subadars,	St. Rs.	18 0
Jemadars,		9 0
Havildars, naicks and native docters,		5 8
Sepoys, drummers and bheeſtees,		3 8

Hill men of the hill rangers.

Subadars,	7 0
Jemadars,	4 0
Havildars and naicks,	3 0
Sepoys, drummers and bheeſtees.	2 8

Rates of additional pay on account of wounds or infirmities.

Rates of additional pay to perſons of the deſcription included in the foregoing ſtatement, who may have loſt a limb or become blind on ſervice, or have been reduced to a helpleſs ſtate by wounds received on ſervice.

Ramghur battalion and Hindooſtanees of the hill rangers.

		Additional Pay.	*Total.*
Subadars,	Rs. St.	15 0	33 0
Jemadars,		8 0	17 0
Havildars, naicks, and native doctors,		5 0	10 8
Sepoys, drummers and bheeſtees,		3 0	6 8

Hill men of the hill rangers.

Subadars,	7 0	14 0
Jemadars,	4 0	8 0
Havildars and naicks,	3 0	6 0
Sepoys, drummers and bheeſtees,	2 8	5 0

Rates of pay of invalids of the provincial battalions admitted to the penſion eſtabliſhment.

Rates of invalid pay for all invalids of provincial corps, who may, under the rules eſtabliſhed in the military department, be admitted to the penſion eſtabliſhment.

Subadars, - - - -	St. Rs.	15	0
Jemadars, - - - -	-	7	8
Havildars, naicks and native doctors, -	-	5	0
Drummers and ſepoys. - - -	-	3	0

Rates of additional pay on account of wounds or infirmities.

Rates of additional pay to perſons of the deſcription included in the foregoing ſtatement, who may have loſt a limb, or become blind on ſervice, or have been reduced to a helpleſs ſtate by wounds received on ſervice.

		Additional Pay.		*Total.*	
Subadars, - -	St. Rs.	10	0	25	0
Jemadars, - - - -	-	5	0	12	8
Havildars, naicks, and native doctors,	-	4	0	9	0
Drummers and ſepoys. -	-	2	0	5	0

Thoſe rates not applicable to perſons to whom reduced invalid pay had been granted, prior to the 15th of February 1811.

Third. The rates ſpecified in the preceding tables, are not to be conſidered applicable to perſons to whom reduced invalid pay had been granted previouſly to the date of the orders of government above noticed, viz. the 15th of February 1811.

Rules in Sections XXIII to XXVI, Regulation I, 1804, to be ſtrictly obſerved in iſſuing ſuch pay.

IV. The rules contained in Sections XXIII, XXIV, XXV, and XXVI, Regulation I, 1804, ſhall be ſtrictly obſerved in iſſuing the pay to the perſons, who may become entitled to that proviſion, under the preſent regulation.

A. D. 1811. REGULATION III.

A REGULATION *for the conduct of the trade of Foreign Nations, with the ports and ſettlements of the Britiſh Nation in the Eaſt Indies; and for defining the duties to which ſuch trade ſhall be ſubject at ſuch of the ſaid ports and ſettlements, as are immediately dependent on the Preſidency of Fort William.*— PASSED *by the Vice Preſident in Council, on the* 30*th April* 1811; *correſponding with the* 19*th Byſaak* 1218 *Bengal era; the* 22*d Byſaak* 1218 *Fuſſily; the* 20*th Byſaak* 1218 *Willaity; the* 7*th Byſaak* 1868 *Sumbut; and the* 6*th Rubbee us Sanee* 1226 *Higeree.*

Preamble.

THE Honorable the Court of Directors of the United Company of Merchants of England trading to the Eaſt Indies, having been pleaſed to eſtabliſh certain regulations in purſuance of the powers veſted in them by an Act of Parliament, paſſed in the 37th year of GEORGE the Third, chapter CXVII, for the conduct of the trade of foreign nations to the ports and ſettlements of the Britiſh nation in the Eaſt Indies, and alſo for defining the duties to which ſuch trade ſhall be ſubject; the ſaid rules have been accordingly framed into a regulation, to be in force in the territories immediately dependent on the Preſidency of Fort William, from the period of its promulgation.

Rules under which foreign European ſhips belonging to nations having a ſettlement in India may enter or clear out from Britiſh ſea ports in that country.

II. Foreign European ſhips belonging to any nation having a ſettlement of its own in the Eaſt Indies, and being in amity with His Majeſty, may freely enter the Britiſh ſea ports and harbours in that country, whether they come directly from their own country or from any of the ports and places in the Eaſt Indies; they ſhall be hoſpitably received; and ſhall have liberty of trade there in imports and exports, conformably to the regulations eſtabliſhed in ſuch places. The ſaid ſhips may alſo be cleared out for any port or place in the Eaſt Indies; but if cleared out for Europe, ſhall be cleared out direct for the country in Europe, to which ſuch ſhips reſpectively belong.

Rules as to ſhips belonging to nations having no eſtabliſhment in India and American ſhips.

III. *Firſt.* Foreign European ſhips belonging to countries having no eſtabliſhment in the Eaſt Indies, and ſhips belonging to the United States of America may (when thoſe countries and ſtates reſpectively are in amity with His Majeſty) in like manner freely enter the Britiſh ſea ports and harbours in the Eaſt Indies; they ſhall be hoſpitably received there; and have free liberty to trade in imports and exports conformably to the regulations of the place; provided always, that they proceed from their own ports direct to the ſaid Britiſh territories, without touching at any port or place whatever in the voyage out; except from neceſſity, and merely to procure refreſhments or repairs in caſe of diſtreſs or accidents in the courſe of ſuch voyage, the burthen of the proof of which neceſſity to reſt on the parties.

Such ſhips not to export goods from the Britiſh territories in India except to

Second. The veſſels of the ſaid European powers laſt aforeſaid, and of the ſaid United States, ſhall not carry any of the articles exported by them from ſaid Britiſh territories, to any port or place except to ſome port or place in their own countries reſpectively, where the ſame ſhall be unladen. The ſaid ſhips ſhall not be cleared out to carry on the coaſting or country trade in India; but veſſels going with their original cargoes or part thereof from one Britiſh port of diſcharge to another Britiſh port, are not to be conſidered as carrying on the coaſting trade.

their own countries reſpectively.

Exception as to part of their original cargoes.

Third. The ſaid veſſels ſhall not be allowed to proceed either with or without return cargo from the ſaid Britiſh territories to the ſettlements or factories of any foreign European nation in India, or to the territory of any Indian or Chineſe potentate or power, except from the like neceſſity as is before deſcribed, of which the proof ſhall reſt with them. Nor ſhall the ſaid veſſels be allowed to enter the river in that part of the Britiſh territory ſituated in Bengal, for any other purpoſe than that of proceeding to the port of Calcutta for trade, refreſhment, or repairs.

Such ſhips not to proceed from Britiſh ports to any foreign ſettlement or factory or any Indian or Chineſe port except thro' neceſſity. Nor to enter the Bengal river except for the purpoſe of proceeding to Calcutta.

Fourth. In clearing out for their reſpective countries, the clearance ſhall be a direct one to the country, European or American, to which the veſſel belongs, and to no other whatever; they are to give bond with the ſecurity of a reſident in the country, that they will deliver the cargo at the port for which the clearance is made, and ſuch bond is to be cancelled when a certificate from a Britiſh Conſul or two known Britiſh merchants reſident at ſuch port is produced of the bonâ fide delivery of the cargo there.

Such ſhips on clearing out, ſhall give bond to deliver their cargoes at the port for which the clearance is taken out.

Fiſth. The following is the form of the bond which is to be executed on occaſions of that nature.

Form of the bond.

" KNOW ALL MEN by theſe preſents, that we
of in and of the
ſhip called the now riding and being in the river
Hoogley in the province of Bengal, and of Calcutta
at

at Fort William in Bengal, are held and firmly bound unto the United Company of Merchants of England trading to the Eaſt Indies, in the ſum of Sicca Rupees to be paid to the ſaid United Company, their ſucceſſors or aſſigns, for which payment to be well and truly made, we bind ourſelves, and each of us by himſelf, our and each of our heirs, executors and adminiſtrators, firmly by theſe preſents, ſealed with our ſeals, dated the day of in the year of our Lord one thouſand eight hundred and

“ THE condition of this obligation is ſuch, that whereas the ſaid ſhip called the has received a cargo on board in the river Hoogley, the contents and particulars whereof are contained in the export manifeſt thereof, ſigned by the above bounden and alſo in the port clearance of the ſaid ſhip called the delivered to and in the poſſeſſion of the ſaid

“ NOW if the ſaid or in caſe of the death or inability of the ſaid the perſon who ſhall ſucceed him as of the ſaid ſhip, ſhall well and truly export to and land the ſaid cargo, and every part thereof (the danger of the ſeas and enemies excepted) at the port of in and not in any other port or place beyond the ſeas, and alſo if the ſaid or any other perſon or perſons ſhall within the ſpace of years from the day of the date of the above writing obligatory produce to and depoſit with the collector of the government cuſtoms at Calcutta at Fort William in Bengal for the time being, a certificate of the ſaid goods being ſo landed, under the hand and ſeal of the Britiſh Conſul at the ſaid port of or if no Britiſh Conſul ſhould or ſhall not be there reſident, under the hands and ſeals of two Britiſh merchants reſident at the ſaid port of or if no Britiſh merchants ſhould be there reſident under the hand

and ſeal of the principal officer of the cuſtoms at the ſaid port of and of ſome merchant reſident at the ſaid port of then the above written obligation as alſo one of the ſame tenor and date, ſhall be void and of no effect, otherwiſe the ſame ſhall remain in full force, virtue, and effect.

Sealed and delivered (where
no Stamps are uſed) in the
preſence of

How the pecuniary obligation and ſecurity are to be adjuſted.

Sixth. The pecuniary obligation and ſecurity required by the foregoing clauſes of this ſection, ſhall be adjuſted on a conſideration of the tonnage of the veſſel, and ſhall in ordinary caſes be calculated at the rate of one hundred rupees per ton, but the Board of Revenue is hereby inveſted with authority to reduce that rate, in caſes in which any ſubſtantial reaſons can be aſſigned for that indulgence. Applications of this nature are uniformly to be made through the collector of Government cuſtoms, who ſhall forward them to the Board of Revenue with his ſentiments on the ſubject for its orders.

Goods imported or exported on foreign bottoms, ſubject to double duty.

IV. *Firſt.* Goods imported or exported on foreign bottoms, ſhall be ſubject to double the amount of the duties payable on goods imported or exported on Britiſh bottoms.

Duties on importation by ſea on Britiſh and foreign bottoms reſpectively.

Second. On that principle, goods liable to duty on importation by ſea, will be chargeable with duty on their importation on Britiſh and foreign bottoms reſpectively, agreeably to the Schedule annexed to this regulation, No. 1.

Trade of foreigners precluded from the benefit of the drawback in certain caſes.

Third. Purſuant to the ſame principle of ſubjecting the trade of foreigners to double duties, they will be precluded from the benefit of the drawback receivable by Britiſh ſubjects, in caſes in which ſuch drawback may be equal to a moiety of the duty paid on importation: and in caſes in which the drawback receivable by Britiſh ſubjects may exceed a moiety of the import duty, the drawback receivable by foreigners will be adjuſted on a conſideration of the ultimate duty payable by Britiſh ſubjects agreeably to the Schedule No. 2.

Liable to additional export duty in certain caſes.

Fourth. In caſes in which the drawback receivable by Britiſh ſubjects amounts to leſs than a moiety of the import duty, the foreign exporter will be ſubject to the payment of an additional export duty, agreeably to the detailed Schedule, No. 3.

Rules enacted in lieu of Clauſe Second, Section XII, and Sections XIII and LXXV, Regulation IX, 1810.

V. The following rules are hereby enacted in lieu of Clauſe Second, Section XII, and Sections XIII, and LXXV, of Regulation IX, 1810.

Goods from the Vizier's territory, or Nepaul, &c. ſubject to additional duty on exportation.

VI. Articles the produce or manufacture of the Vizier's territory, or of Nepaul, or of any other foreign territory which ſhall have paid an import or tranſit duty, not exceeding two and a half per cent, ſhall be liable on re-exportation by ſea from Calcutta, Chittagong, or Balaſore, to the payment of an additional duty of two and a half per cent, if exported on Britiſh bottoms; and ſeven and a half per cent, if exported on foreign bottoms.

What duties, goods not above enumerated (with the exception to thoſe exempted under Clauſe Second, Section XIII, Regulation IX, 1810,) are liable to.

VII. All goods not ſpecified in the above-mentioned ſchedules, with the exception of the articles exempted from duty by Clauſe Second, Section XIII, Regulation IX, 1810, ſhall on their importation by ſea, or exportation from Calcutta, Chittagong, or Balaſore, by ſea, be ſubject to the payment of a duty of five per cent, if imported or exported on Britiſh bottoms; and of ten per cent, if imported or exported on foreign bottoms.

Rules as to drawback on goods imported expreſsly for re-exportation.

VIII. Goods imported for re-exportation, ſhall on re-exportation, be allowed a drawback of two-thirds of the amount of the duty paid on their importation, if exported on Britiſh bottoms; and of one-third of the duty paid on their importation, if exported on foreign bottoms. In caſes in which goods ſhall have paid double duty on importation, that is, the enhanced duty ordered to be levied from foreigners, a drawback ſhall be allowed to the exporter, of two-thirds of ſuch duty, whether the goods be exported on foreign or Britiſh bottoms; with the exception however of thoſe goods, on the exportation of which, a ſpecific rate of drawback is eſtabliſhed by the table annexed to this regulation.

IX. Clauſes Twelfth, Thirteenth, Fourteenth, and Fifteenth, Section XLVIII, of Regulation IX, 1810, are hereby annulled.

Clauſes Twelfth to Fifteenth, Section XLVIII, Regulation IX, 1810, annulled.

No. 1.

TABLE of the RATES of DUTIES to be levied on the following GOODS, on their importation into CALCUTTA by Sea, on British and on Foreign bottoms.

ENUMERATION OF GOODS.	*On British bottoms.*	*On Foreign bottoms.*
All Spice,	Ten per cent.	Twenty per cent.
Aloe Wood,	Seven and a half per cent.	Fifteen per cent.
Alum,	Ten per cent.	Twenty per cent.
Ambergris,	Seven and a half per cent.	Fifteen per cent.
Arrack Batavia,	Sa R. 55 per Leaguer.	Sa Rs 110 per Leaguer.
Ditto from Europe or America,	Ten per cent.	Twenty per cent.
Ditto from foreign territories in Asia,	Thirty per cent.	Sixty per cent.
Arsenic, white, red, or yellow,	Ten per cent.	Twenty per cent.
Assafœtida,	Ditto.	Ditto.
Altah,	Seven and a half per cent.	Fifteen per cent.
Awl root,	Ditto.	Ditto.
Beads, Malas, or Rozaries,	Ditto.	Ditto.
Beetlenut,	Ditto.	Ditto.
Ditto Town Duty,	Five per cent.	Ten per cent.
Benjamin,	Seven and a half per cent.	Fifteen per cent.
Borax,	Five per cent.	Ten per cent.
Brandy, from Europe or America,	Ten per cent.	Twenty per cent.
Ditto, from foreign Territories in Asia,	Thirty per cent.	Sixty per cent.
Brass,	Ten per cent.	Twenty per cent.
Brimstone,	Ditto.	Ditto.
Brocades,	Seven and a half per cent.	Fifteen per cent.
Buhera,	Ten per cent.	Twenty per cent.
Buckum Wood,	Seven and a half per cent.	Fifteen per cent.
Calijcerah,	Ditto.	Ditto.
Camphire,	Ten per cent.	Twenty per cent.
Canvas,	Five per cent.	Ten per cent.
Cardimums	Seven and a half per cent.	Fifteen per cent.

Carriages,

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Carriages,	Seven and a half per cent.	Fifteen per cent.
Cassia,	Ten per cent.	Twenty per cent.
Chanks,	Seven and a half per cent.	Fifteen per cent.
Cherayta,	Ten per cent.	Twenty per cent.
China Goods,	Seven and a half per cent.	Fifteen per cent.
Cloves,	Ten per cent	Twenty per cent.
Cochineal,	Seven and a half per cent.	Fifteen per cent.
Cocoanuts,	Five per cent.	Ten per cent.
Coffee,	Seven and a half per cent.	Fifteen per cent.
Coir,	Five per cent.	Ten per cent.
Columbo Root,	Ten per cent.	Twenty per cent.
Coosum Flower,	Seven and a half per cent.	Fifteen per cent.
Copal or Kuhroba,	Ten per cent.	Twenty per cent.
Copper,	Ditto.	Ditto.
Coral,	Ditto.	Ditto.
Cordage,	Five per cent.	Ten per cent.
Cowries,	Ditto.	Ditto.
Cumdana,	Seven and a half per cent.	Fifteen per cent.
Dammer,	Five per cent.	Ten per cent.
Dhye Flower,	Seven and a half per cent.	Fifteen per cent.
Elephants Teeth,	Ditto.	Ditto.
Embroidered Goods,	Ditto.	Ditto.
Europe Goods,	Ten per cent.	Twenty per cent.
Frankincense,	Seven and a half per cent.	Fifteen per cent.
Galbanum,	Ten per cent.	Twenty per cent.
Galingall,	Seven and a half per cent.	Fifteen per cent.
Ghee,	Five per cent.	Ten per cent.
Ditto, Town Duty,	Ten per cent.	Twenty per cent.
Gin from Europe or America,	Ten per cent.	Twenty per cent.
Ditto from Foreign Territories in Asia,	Thirty per cent.	Sixty per cent.
Goopee Mattee,	Ten per cent.	Twenty per cent.

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Gum Arabic,	Ten per cent.	Twenty per cent.
Gundeberoza,	Seven and a half per cent.	Fifteen per cent.
Hurrah,	Ten per cent.	Twenty per cent.
Hursingah Flower,	Seven and a half per cent.	Fifteen per cent.
Hurtaul,	Ten per cent.	Twenty per cent.
Indigo,	Five per cent.	Ten per cent.
Iron and Manufactured Iron,	Ten per cent.	Twenty per cent.
Jutta Munsee,	Ditto.	Ditto.
Ivory,	Seven and a half per cent.	Fifteen per cent.
Kullinjun,	Ditto.	Ditto.
Kutch,	Five per cent.	Ten per cent.
Lead, Pig, Sheet, Milled and Small Shot,	Ten per cent.	Twenty per cent.
Loadh,	Seven and a half per cent.	Fifteen per cent.
Loban,	Ditto.	Ditto.
Mace,	Ten per cent.	Twenty per cent.
Madder,	Seven and a half per cent.	Fifteen per cent.
Mahogany,	Ditto.	Ditto.
Marine Stores,	Five per cent.	Ten per cent.
Mastick,	Ten per cent.	Twenty per cent.
Minium,	Ditto.	Ditto.
Morinda,	Seven and a half per cent.	Fifteen per cent.
Munject,	Ditto.	Ditto.
Musk,	Ditto.	Ditto.
Myrobalans,	Ten per cent.	Twenty per cent.
Myrrh,	Ditto.	Ditto.
Nutmegs,	Ditto.	Ditto.
Oils, Vegetable or Animal,	Seven and a half per cent.	Fifteen per cent.
Ditto Town Duty,	Five per cent.	Ten per cent
Oil Seed,	Seven and a half per cent.	Fifteen per cent.
Ditto Town Duty,	Five per cent.	Ten per cent
Oils perfumed or essential,	Seven and a half per cent.	Fifteen per cent.

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Orpiment, or Yellow Arsenic,	Ten per cent.	Twenty per cent.
Otter,	Seven and a half per cent.	Fifteen per cent.
Ownla,	Ten per cent.	Twenty per cent.
Pepper, Black and White,	Ditto.	Ditto.
Piece Goods Cotton,	Seven and a half per cent.	Fifteen per cent.
Ditto Silk,	Ditto.	Ditto.
Ditto partly Silk and partly Cotton,	Ditto.	Ditto.
Pimento,	Ten per cent.	Twenty per cent.
Pipe Staves,	Seven and a half per cent.	Fifteen per cent.
Prussian Blue,	Ten per cent.	Twenty per cent.
Putchapaut,	Seven and a half per cent.	Fifteen per cent
Quick Silver,	Ten per cent.	Twenty per cent.
Rattans,	Seven and a half per cent.	Fifteen per cent.
Raw Hides,	Five per cent.	Ten per cent.
Red Sandal Wood,	Seven and a half per cent.	Fifteen per cent.
Resin,	Five per cent.	Ten per cent.
Rose Water,	Seven and a half per cent.	Fifteen per cent.
Rum from Europe or America,	Ten per cent.	Twenty per cent.
Rum from Foreign Territories in Asia,	Thirty per cent.	Sixty, per cent.
Saffron,	Ten per cent.	Twenty per cent.
Sago,	Seven and a half per cent.	Fifteen per cent.
Sandal Wood, Red,	Ditto.	Ditto.
Ditto, White or Yellow,	Ditto.	Ditto.
Sappan Wood,	Ditto.	Ditto.
Senna,	Ten per cent.	Twenty per cent.
Soonamooky Leaf,	Ditto.	Ditto.
Spikenard,	Ditto.	Ditto.
Steel and manufactured Steel,	Ditto.	Ditto.
Storax,	Ditto.	Ditto.
Sugar, wet or dry including Jaggree and Molasses,	Five per cent.	Ten per cent.

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Sugar, Town Duty,	Five per cent.	Ten per cent.
Sulphur,	Ten per cent.	Twenty per cent.
Tape,	Seven and a half per cent.	Fifteen per cent.
Taiz-paut,	Ten per cent.	Twenty per cent.
Tea,	Ditto.	Ditto.
Thread,	Seven and a half per cent.	Fifteen per cent.
Tin,	Ten per cent.	Twenty per cent.
Tincal,	Five per cent.	Ten per cent.
Tobacco, Town Duty only,	Ten per cent.	Twenty per cent.
Toond Flower,	Seven and a half per cent.	Fifteen per cent.
Tuggar,	Ditto.	Ditto.
Turmeric,	Five per cent.	Ten per cent.
Ditto, Town duty,	Ditto.	Ditto.
Turpentine,	Five per cent.	Ten per cent.
Tutenague,	Ten per cent.	Twenty per cent.
Uggar,	Seven and a half per cent.	Fifteen per cent.
Vermillion,	Ten per cent.	Twenty per cent.
Verdigrease,	Ditto.	Ditto.
Wax,	Ditto.	Ditto.
Wax Candles,	Ditto.	Ditto.
Wines,	Ditto.	Ditto.
Wood, of all sorts used in Cabinet Work,	Seven and a half per cent.	Fifteen per cent.
Woollens,	Five per cent.	Ten per cent.
Yellow Ockre, or Goopee Mattee,	Ten per cent.	Twenty per cent.

No. 2.

TABLE of DRAWBACKS *allowed on the following GOODS, imported from the interior of the country and from sea, on exportation from* CALCUTTA *by sea, on British, and on Foreign bottoms.*

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Ajwain or Jowaen,	Two and a half per cent.	No Drawback.
Aloe Wood,	Ditto.	
Anise, or Mowrie, or Sonf,	Ditto.	
Altah,	Ditto.	
Awl Wood,	Ditto.	
Buhera,	Ditto.	
Buckum,	Ditto.	
Caligcerah,	Ditto.	
Camphire,	Ditto.	
Cardimums,	Ditto.	
Cherayta,	Ditto.	
Cochineal,	Ditto.	
Columbo Root,	Ditto.	
Coosum Flower,	Ditto.	
Copal, or Kuhroba,	Ditto.	
Coriander, or Dhoonia,	Ditto.	
Crimdanah,	Ditto	
Cummin, or Jeerah,	Ditto.	
Dhunia, or Coriander,	Ditto.	
Dhye Flower,	Ditto.	
Dry Ginger,	Ditto.	
Galbanum,	Ditto.	
Gum Arabick,	Ditto.	
Hurrah,	Ditto.	
Hursingah Flower,	Ditto.	

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Lac, Stick, Joory, Shell, Cake and Seed,	Two and a half per cent.	No draw back.
Loadh, - - -	Ditto.	
Lodg Pepper, and Long Pepper Root,	Ditto,	
Mastick, - - -	Ditto.	
Morinda, - - -	Ditto.	
Mowry, - - -	Ditto.	
Munjeet, - - -	Two and a half per cent.	No draw back.
Myrobaluns, - - -	Ditto.	
Myrrh, - - -	Ditto.	
Ownla, - - -	Ditto.	
Piece Goods, Cotton, - -	Five per cent.	Two and a half per cent.
Ditto, Ditto, Silk on exportation to London only, - - -	Ditto.	Ditto.
Ditto, Ditto, partly Silk, and partly Cotton, on exportation, to London only, -	Ditto.	Ditto.
Sandal Wood, Red, White, or Yellow,	Two and a half per cent.	No Drawback.
Sappan Wood, or Buckum Wood, -	Ditto.	
Senna, - - -	Ditto.	
Silk, raw filature, On exportation, to London only,	Five per cent.	Two and a half per cent.
Ditto, Bengal Wound,		
Ditto, Tushah,		
Ditto, Chassum,		
Sonf, - - -	Two and a half per cent.	No Drawback.
Soonamooky Leaf, - -	Ditto.	
Spikenard, - - -	Ditto.	
Storax, - - -	Ditto.	
Sugar, on exportation to Europe, or America, - - -	Ditto.	
Toond Flower, - - -	Ditto.	
Tuggur, - - -	Ditto.	
Ugger, or Aloe Wood, - -	Ditto.	

No. 3.

TABLE of the RATES *of* DUTY *to be levied on the following GOODS, imported from the interior of the country, on exportation from* CALCUTTA *by sea, on British and foreign bottoms.*

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Ajwain, or Jowain,		Two and a half per cent.
Alkali,		Five per cent.
Alum,		Ten per cent.
Ambergrease,		Seven and a half per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Ditto.
Anise, or Mowrie, or Sonf,		Two and a half per cent.
Arsenic, White, Red, or Yellow,		Ten per cent.
Assafœtida,		Ditto.
Attah,		Two and a half per cent.
Awl Root,		Ditto.
Beetlenut,		Seven and a half per cent.
Benjamin, imported from Napaul,	Two and a half per cent.	Ditto.
Blankets, country manufactured,		Five per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Seven and a half per cent.
Boots, Shoes, and Slippers,		Five per cent.
Borax, country produce,		Five per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Seven and a half per cent.
Brass, country produce,		Ten per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Seven and a half per cent.
Brimstone,		Ten per cent.
Buhera,		Two and a half
Buckum Wood,		Ditto.
Caligeerah,		Ditto.
Camphire,		Ditto.
Cardimums,		Ditto.
Carpets,		Seven and a half per cent.

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Cassia, imported from Napaul,	Two and a half per cent.	Seven and a half per cent.
Chanks,		Ditto.
Cherayta,		Two and a half per cent.
Chowries,		Five per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Seven and a half per cent.
Chucrassey,		Ditto.
Chunam,		Ten per cent.
Chutta,		Five per cent.
Civet, country produce,		Seven and a half per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Ditto.
Cloves, imported from Napaul,	Two and a half per cent,	Ditto.
Cochineal,		Two and a half per cent.
Cocoanuts,		Five per cent.
Columbo Root,		Two and a half per cent.
Coosum Flower,		Ditto.
Copal, or Kuhroba,		Ditto.
Copper, country produce,		Ten per cent.
Ditto, imported from Napaul,	Two and a half per cent,	Seven and a half per cent.
Coral,		Ten per cent.
Coriander, or Dhoonea,		Two and a half per cent.
Cotton Wool,		12 annas per md. of 96 Sa. Wt.
Cotton Yarn,		Seven and a half per cent.
Cow Tails,		Five per cent.
Ditto, imported from Napaul,	Two and a half per cent,	Seven and a half per cent.
Crimdanah,		Two and a half per cent.
Cummin, or Jeerah,		Ditto.
Dammer,		Five per cent.
Dhye Flower,		Two and a half per cent.
Dry Ginger,		Ditto.
Elephants Teeth,		Seven and a half per cent.
Embroidered Goods and Brocades,		Ditto.

Embroidered

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Embroidered Goods and Brocades imported from Vizier's or Napaul Territories,	Two and a half per cent,	Seven and a half per cent.
Frankincense imported from Napaul,	Two and a half per cent,	Ditto,
Fringes, ...		Ditto,
Ditto, imported from Vizier's or Napaul Territories, . . .	Two and a half per cent,	Ditto,
Furs, ...		Five per cent,
Ditto, imported from Napaul, .	Two and a half per cent,	Seven and a half per cent.
Galbanum, ...		Two and a half per cent,
Gum Arabick, . . .		Ditto,
Gunnies and Gunny Bags, . .		Five per cent,
Hogs Lard, ...	Five per cent,	Ten per cent,
Hookah and Hookah Snakes, .		Seven and a half per cent.
Hurrah, - - -		Two and a half per cent,
Hursingah, - - -		Two and a half per cent,
Jarrel, red or white, - -		Ten per cent.
Indigo, - - -		Five per cent.
Ditto, from Vizier's dominions,	Two and a half per cent,	Seven and a half per cent.
Iron and Manufactured Iron, country produce,		Ten per cent.
Ditto, Ditto, imported from Napaul,	Two and a half per cent,	Seven and a half per cent.
Jutta Munsee, - - -		Two and a half per cent.
Ivory, - - - -		Seven and a half per cent.
Keorah Water, - - -		Ditto.
Ditto, imported from Napaul, -	Two and a half per cent.	Ditto.
Kutch, - - - -		Five per cent.
Lace, Gold and Silver, - -		Ditto.
Leather, - - - -		Ditto.
Lodh, - - - -		Two and a half per cent.
Loban or Benjamin, country Produce,		Seven and a half per cent.
Ditto, Ditto, imported from Napaul,	Two and a half per cent.	Ditto.
Long Pepper and Long Pepper Root,		Two and a half per cent,

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Looys,		Five per cent,
Ditto, imported from Napaul,	Two and a half per cent.	Seven and a half per cent,
Mace imported from Napaul,	Two and a half per cent.	Ditto,
Mastick,		Two and a half per cent.
Matchlocks,		Two rupees each.
Minium,		Ten per cent,
Mowry,		Two and a half per cent,
Munject,		Ditto,
Musk country produce,		Seven and a half per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Ditto,
Myrobolans,		Two and a half per cent,
Myrrh,		Ditto,
Nutmegs imported from Napaul,	Two and a half per cent.	Seven and a half per cent,
Oils, Vegetable, or Animal,		Ditto,
Oil Seeds,		Ditto,
Oil perfumed or essential,		Ditto,
Ditto, imported from Napaul,	Two and a half per cent.	Ditto,
Otter,		Ditto,
Ditto, imported from Napaul,	Two and a half per cent.	Ditto,
Ownla,		Two and a half per cent.
Paper, Bengal,		Five per cent,
Peoree,		Ten per cent,
Pepper, black and white,		Ditto,
Piece Goods, Cotton, imported from Vizier's or Napaul Territories,	Two and a half per cent.	Seven and a half per cent,
Ditto, Silk, (unless exported to London)		Ditto.
Ditto do. imported from Vizier's or Napaul Territories,	Two and a half per cent.	Ditto.
Ditto, partly Silk and partly Cotton, unless exported to London,		Ditto.

Piece

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Piece Goods, imported from Vizier's or Napaul Territories,	Two and a half per cent.	Seven and a half per cent.
Pimento, imported from Napaul,	Two and a half per cent.	Ditto.
Pipe Staves,		Ditto.
Prussian blue,		Ten per cent.
Purser's Stores,	Five per cent.	Ditto.
Putchapaut,		Seven and a half per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Ditto.
Putties,		Five per cent.
Rangamattea, or India red,		Ten per cent.
Raw Silk Filature, Do. Bengal wound, Do. Tushah, Do. Chassum, } unless exported to the Port of London,		Seven and a half per cent.
Raw Hides,		Five per cent.
Rose Water,		Seven and a half per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Ditto.
Saffron,		Ten per cent.
Salamoniac,		Five per cent.
Salted Provisions,	Five per cent.	Ten per cent.
Salt Petre,		Seven and a half per cent.
Sandal Wood, red, white, or yellow,		Two and a half per cent.
Sappan Wood,		Ditto.
Saul Timber,		Ten per cent.
Seesoo Timber,		Ditto.
Senna,		Two and a half per cent.
Setrenjies,		Seven and a half per cent.
Shawls,		Ten per cent.
Shields,		Four annas each.
Sitsol,		Seven and a half per cent.
Soap,		Five per cent.

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Sonf,		Two and a half per cent.
Soojie Mattee,		Five per cent.
Soonamooky Leaf,		Two and a half per cent.
Soondry Timber,		Ten per cent.
Spikenard,		Two and a half per cent.
Steel and Manufactured Steel, Country Produce,		Ten per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Seven and a half per cent.
Stone Plates,		Five per cent.
Storax,		Two and a half per cent.
Sugar, unless exported to Europe or America,		Five per cent.
Sulphur,		Ten per cent.
Swords,		One rupee each.
Tallow and Tallow candles,	Five per cent.	Ten per cent.
Tape, Country Manufacture,		Seven and a half per cent.
Ditto, imported from Napaul,	Two and a half per cent.	Ditto.
Taiz-paut imported from Napaul,	Two and a half per cent.	Ditto.
Thread, Country Manufacture,		Ditto.
Ditto, imported from Vizier's or Napaul Territories,	Two and a half per cent.	Ditto
Ditto, Gold and Silver,		Five per cent.
Tincal Country Produce,		Ditto.
Ditto, imported from Napaul,	Two and a half per cent.	Seven and a half per cent.
Tissues, Gold and Silver,		Five per cent.
Toon,		Seven and a half per cent.
Toond Flower,		Two and a half per cent.
Tootia or Vitriol,		Five per cent.
Tuggar,		Two and a half per cent.
Ugger or Aloe Wood,		Ditto,
Vermillion,		Ten per cent.
Verdigrease,		Ditto.

Enumeration of Goods.	*On British bottoms.*	*On Foreign bottoms.*
Vidre Ware, . . .		Seven and a half per cent.
Wax, ...		Ten per cent.
Wax Candles, . . .		Ditto.
Woollens, country Manufacture, .		Five per cent,
Ditto, imported from Napaul, .	Two and a half per cent.	Seven and a half per cent.
Yellow Ochre, or Gopee Mattee, .		Ten per cent.

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BENGAL SECRETARIAT LIBRARY

A. D. 1811. REGULATION IV.

A REGULATION *for granting exemptions in certain caſes from the payment of the Tax eſtabliſhed on Houſes, by Regulation* XV, 1810.—PASSED *by the Vice Preſident in Council, on the* 28*th May* 1811*; correſponding with the* 16*th Jeyte* 1218 *Bengal era; the* 20*th Jeyte* 1218 *Fuſſily; the* 17*th Jeyte* 1218 *Willaity; the* 6*th Jeyte* 1868 *Sumbut; and the* 5*th Jumudi ul Awul* 1226 *Higeree.*

Preamble.

WHEREAS it is enacted by Sections IV, V, and VI, Regulation XV, 1810, that a tax ſhall be levied on houſes ſituated in certain cities and towns, with the exception of religious edifices; And Whereas it is expedient that more ſpecific proviſions ſhould be eſtabliſhed with reſpect to ſuch exemptions, by which the operation of them may be extended not only to religious edifices in the ſtrict ſenſe of that expreſſion, but alſo to other buildings, erected for pious and general purpoſes, and to thoſe occupied by perſons belonging to the orders of devotion; and whereas, it has been deemed adviſable, with a view to the relief and comfort of the indigent claſſes of the community, that the houſes occupied by perſons of that deſcription, ſhould likewiſe be exempted from the payment of the ſaid tax, the following rules have been enacted, to be immediately in force in the provinces of Bengal, Behar, Oriſſa, and Benares.

Certain Mahomedan and Hindoo buildings exempted from the payment of the tax eſtabliſhed by Regulation XV, 1810.

II. *Firſt.* The following buildings belonging to the Mahomedans and Hindoos reſpectively, ſhall be exempted from the payment of the tax eſtabliſhed by Regulation XV, 1810.

MAHOMEDAN BUILDINGS.

1 Musjids,
2 Emaum-barries,
3 Edgahs,
4 Durgahs,
5 Madrissahs,
6 Mukburrahs.

HINDOO BUILDINGS.

1 T,hakwoor-barries,
2 Akharahs,
3 Sunguts,
4 Sumaj-barries,
5 Chowparries,
6 Sudda-birts,
7 Dhurum-saleys,

Board of Revenue and Board of Commiſſioners empowered to exempt other religious buildings from payment of the tax.

Second. The Board of Revenue and Board of Commiſſioners reſpectively, are hereby empowered to order any other buildings to be exempted from the payment of the houſe tax, which ſhall, on enquiry, appear to fall under the deſcription of religious edifices, according to the extended ſenſe attached to that term in the preamble of this regulation.

III. *Firſt.* Dwelling houſes, the rent or value of which does not amount to five annas per month, ſhall be exempted from the payment of the tax eſtabliſhed by Regulation XV, 1810.—Provided however, that this exemption ſhall not be conſidered applicable to houſes occupied as ſhops, that is, for the ſale of goods, whether by wholeſale or retail: ſuch houſes ſhall be ſubject to the payment of the tax at the preſcribed rate, whatever may be the rent of them.

Dwellinghouſes, the rent or value of which is under five annas per month, exempted, unleſs occupied as ſhops.

Second. The principle ſtated in the firſt part of the foregoing clauſe, ſhall be conſidered applicable to the houſes occupied by the indigent claſſes of the people, whether they be occupied by tenants paying a rent for them below five annas per month, or by the proprietors themſelves. In the latter caſe, the authorized exemptions muſt of courſe be granted, according to the beſt computation, which can be formed, with reference to the ſize and deſcription of the buildings, of the rent which would be derived from them, if leaſed to tenants.

The above principle applicable to houſes occupied by indigent people, whether as tenants or proprietors.

A. D. 1811. REGULATION V.

A REGULATION *for eſtabliſhing a duty on the manufacture, and vend of a liquor, denominated Putchwy, and for making certain alterations in Regulations* VII, 1797; VI, 1800; *and* XL, 1803.—PASSED *by the Vice Preſident in Council, on the* 28*th May* 1811; *correſponding with the* 16*th Jeyte* 1218 *Bengal era; the* 20*th Jeyte* 1218 *Fuſſily; the* 17*th Jeyte* 1218 *Willaity; the* 6*th Jeyte* 1868 *Sumbut; and the* 5*th Jumudi ul Awul* 1226 *Higeree.*

WHEREAS by the regulations already enacted, it is provided, that a tax ſhall be levied on the manufacture and ſale of ſpirituous liquors, taury, and intoxicating drugs, and whereas doubts have been entertained whether thoſe regulations are to be conſidered applicable to the liquor denominated putchwy; and whereas it has been deemed adviſable to modify the proviſion contained in Section IV, Regulation VII, 1797; Section III, Regulation VI, 1800; and Clauſe Fourth, Section VI, and Section Preamble.

XV, Regulation XL, 1803, the following rules have been paſſed, to be in force from the period of their promulgation throughout the territories immediately dependant on the Preſidency of Fort William.

The manufacture and vend of putchwy prohibited, except in virtue of licenſes and on the payment of a daily tax.

II. The manufacture and vend of the liquor ordinarily denominated putchwy, are hereby prohibited, except in virtue of licenſes from the collectors, and under engagements from the individuals receiving them to pay a ſpecific daily tax for that privilege.

Ordinary rates of tax.

III. *Firſt.* The daily tax on the manufacture and ſale of putchwy, is hereby fixed in ordinary caſes, as follows:—

In cities and towns of the 1ſt claſs, rupees 2 per day,
In towns or villages of the 2d claſs, rupee 1 ditto,
In ditto ditto of the 3d claſs, annas 8 ditto,
In ditto ditto of the 4th claſs, annas 4 ditto.

Board of Revenue and Board of Commiſſioners, empowered to enhance the duty to a certain extent.

Second. Should the Board of Revenue or Board of Commiſſioners, however be of opinion, that the rates of duty ſpecified in the preceding clauſe, may in any inſtances be enhanced without inconvenience, they are hereby empowered to order ſuch enhancement not exceeding however the following rates:—

In cities and towns of the 1ſt claſs, rupees 4 per day,
In towns or villages of the 2d claſs, rupees 3 ditto,
In ditto ditto of the 3d claſs, rupees 2 ditto,
In ditto ditto of the 4th claſs, rupee 1 ditto.

What rules applicable to the ſale and manufacture of putchwy under this regulation.

IV. The general rules eſtabliſhed regarding the forms of licenſes and engagements for the ſale and manufacture of ſpirituous liquors, the places of vend, the mode of collecting the duty, the proceſs for the recovery of arrears, and the penalties leviable for the illecit manufacture or ſale, ſhall be conſidered applicable to the manufacture and vend of putchwy, with exception however of the proviſions reſpecting the ſtills, which are of courſe not applicable to a liquor prepared only by fermentation.

The rules which preſcribe that the ſanction of Government ſhall be obtained for enhancing the rates of duty on ſpirituous liquors &c. reſcinded, and Board of Revenue and Board of Commiſſioners empowered to enhance thoſe rates to a certain extent.

V. Such parts of the regulations at preſent in force, as preſcribe that the ſanction of Government ſhall be obtained previouſly to any enhancement of the rates of duty on ſpirituous liquors, and intoxicating drugs, are hereby reſcinded. Should the Board of Revenue or Board of Commiſſioners, be at any time of opinion, that the rates of duty hitherto eſtabliſhed on thoſe articles can be enhanced without inconvenience, thoſe Boards are empowered to order ſuch enhancement not exceeding however the following rates:—

SPIRITUOUS LIQUORS.

In cities and towns of the 1ſt claſs, rupees 10 per day,
In towns or villages of the 2d claſs, rupees 8 ditto,
In ditto ditto of the 3d claſs, rupees 6 ditto,
In ditto ditto of the 4th claſs, rupees 4 ditto.

INTOXICATING DRUGS.

In cities and towns of the 1ſt claſs, rupees 4 per day,
In towns or villages of the 2d claſs, rupees 3 ditto,
In ditto ditto of the 3d claſs, rupees 2 ditto,
In ditto ditto of the 4th claſs, rupee 1 ditto.

A. D. 1811. REGULATION VI.

A REGULATION *for reſcinding ſuch parts of Regulation* XXVII, 1793, *as declare the holders of lakeraje and malgoozarry lands, entitled to a compenſation on account of the abolition of the Sayer.*—PASSED *by the Vice Preſident in Council, on the* 14*th June* 1811; *correſponding with the* 1*ſt Aſſar* 1218 *Bengal era; the* 8*th Aſſar* 1218 *Fuſſily; the* 2*d Aſſar* 1218 *Willaity; the* 8*th Aſſar* 1868 *Sumbut; and the* 22*d Jumudi ul Awul* 1226 *Higeree.*

WHEREAS by the rules eſtabliſhed on the 11th of June 1790, (framed into a regulation, bearing date the 1ſt of May 1793,) the holders of lakeraje lands, or of lands exempted from the payment of public revenue, who had received the ſanction of Government for the eſtabliſhment of hauts, bazars, and gunges, were declared entitled to a compenſation for the deprivation of the privilege of collecting duties in ſuch places; and the holders of malgoozarry lands, or lands aſſeſſed with the public revenue, who had been permitted to collect gunge, haut, bazar, or Preamble.

other duties on their lands, were alſo conſidered entitled to a compenſation for the profits which they had derived from ſuch collections; and whereas ample time has been allowed for the inſtitution and eſtabliſhment of ſuch claims; the following rule has been enacted to be in force from the period of its promulgation in the provinces of Bengal, Behar, and Oriſſa, excepting Cuttack.

Further claims to compenſation on account of the abolition of the ſayer, inadmiſſible.

II. No claims to compenſation on account of the abolition of the ſayer, which ſhall not have been preferred to the proper authority previouſly to the promulgation of this regulation, ſhall be received or admitted.

A. D. 1811. REGULATION VII.

Regtd

A REGULATION *for limiting and better defining the powers of the police darogahs, and of zemindars inveſted with the charge of the police, with reſpect to perſons charged with, or ſuſpected of, the commiſſion of public crimes and offences.*—PASSED *by the Vice Preſident in Council, on the* 25*th June* 1811; *correſponding with the* 12*th Aſſar* 1218 *Bengal era; the* 19*th Aſſar* 1218 *Fuſſily; the* 13*th Aſſar* 1218 *Willaity; the* 4*th Aſſar* 1868 *Sumbut; and the* 3*d Jumudi us Sani* 1226 *Higeree.*

Preamble. WHEREAS there is reaſon to believe, that abuſes have been practiſed by the police darogahs and zemindars entruſted with the charge of the police, in the exerciſe of the powers which were confided to them, with a view of bringing to juſtice perſons accuſed or ſuſpected of the commiſſion of public offences; And whereas, it is adviſable that the attention of the darogahs and of the zemindars entruſted with the charge of the police, ſhould be excluſively directed to the maintenance of the public tranquillity, and to the adoption of the preſcribed meaſures for bringing to juſtice perſons accuſed of the commiſſion of thoſe ſpecies of crimes, which are moſt injurious to the peace and happineſs of ſociety, the following rules have been enacted, to be in force from the period of their promulgation throughout the territories, immediately dependent on the Preſidency of Fort William.

Rules empowering police officers to receive certain charges, reſcinded.

II. *Firſt.* Such parts of the regulations as empower police darogahs, and landholders inveſted with the charge of the police, to receive charges of the nature of thoſe ſpecified in the firſt part of the following clauſe, are hereby reſcinded.

Specification of thoſe charges.

Second. No police officer of the deſcription above ſpecified ſhall hereafter receive any charge of adultery, fornication, rape, calumny, abuſive language, ſlight treſpaſs, or inconſiderable aſſault: Provided however that this reſtriction ſhall not be conſidered applicable to caſes of maihem, actual affrays, or tumultuary aſſemblies of people requiring the immediate interpoſition of the police for the maintenance of the public tranquillity.

To what charges this reſtriction is not to be conſidered applicable.

How police officers are to proceed on charges being preferred to them on account of ſuſpicious or notoriouſly bad characters.

Third. On any written charge being preferred to a police darogah, or landholder inveſted with the charge of the police, againſt individuals of their being of ſuſpicious or notoriouſly bad characters, the police darogah or other police officer ſhall immediately make ſuch enquiry as may be practicable into the general character and means of livelihood of the accuſed. If there ſhall appear ſubſtantial grounds to believe that the charge or information is well founded, the darogah or other police officer ſhall immediately ſend the perſon accuſed to the magiſtrate, together with the evidence obtained reſpecting his character and means of livelihood. If however there ſhall be reaſon to believe from the enquiry ſo made, that the charge or information

formation is unfounded or greatly exaggerated, a report only of the caſe ſhall be made to the magiſtrate for his conſideration and orders.

All complaints of the nature ſpecified in the firſt part of Clauſe Second of the preceding ſection, to be preferred at the public cutcherry of the magiſtrate.

III. All complaints or proſecutions for miſdemeanors or offences of the nature ſpecified in the firſt part of Clauſe Second of the preceding ſection, whether preferred in perſon or by vakeel, as provided for by Section IV, Regulation IX, 1807, ſhall hereafter be preferred in the firſt inſtance at the cutcherry of the zillah or city magiſtrate within the limits of the juriſdiction of which court the offence may have been committed.

Modification of rules for ſerving criminal proceſs.

IV. In modification of the rules preſcribed for ſerving criminal proceſs by Clauſes Second and Third, Section XIV, Regulation IX, 1807, it is hereby declared that thoſe rules are to be conſidered applicable chiefly to charges or information of crimes or offences of a heinous nature; and that on complaints of the nature ſpecified in the firſt part of Clauſe Second, Section II, of this regulation, the proceſs to be iſſued, ſhall be ſerved by peons or other perſons, who ſhall be authorized by the magiſtrate to demand and receive tullubana, according to the rate preſcribed by Clauſe Third, Section XIV, Regulation IX, 1807; ſuch tullubana to be paid in the firſt inſtance by the party at whoſe complaint the proceſs may be iſſued.

Puniſhment which may be inflicted on parties bringing malicious or vexatious charges, in addition to that preſcribed in Section X, Regulation IX, 1793.

V. Whenever any charge preferred in a zillah or city court ſhall upon inveſtigation prove manifeſtly malicious, vexatious, or unfounded, the magiſtrate is hereby empowered, in extenſion of the puniſhment preſcribed by Section X, Regulation IX, 1793, to ſentence the party by whom the charge ſhall have been preferred, to ſuch period of impriſonment, as on conſideration of the apparent motives and tendency of the ſaid charge ſhall appear proper; not exceeding however the period of ſix months.

Magiſtrates not to refer ſuch charges to their

VI. The zillah and city magiſtrates are hereby ſtrictly pro-police officers forinveſtigation but to inveſtigate them in perſon or by their aſſiſtants.

hibited from referring to their police darogahs or other police officers of the deſcription noticed in Section II, of this regulation, for inveſtigation or report, any charges of the nature of thoſe which ſuch officers are by that ſection prohibited from receiving. All inveſtigations for the purpoſe of aſcertaining the truth or falſehood of ſuch charges ſhall be invariably conducted by the magiſtrate in perſon, or by his aſſiſtant, aided ſo far as may be authorized by the exiſting regulations, by the native officers attached to his ſudder cutcherry.

Police officers prohibited from ſwearing witneſſes to the truth of their depoſitions in any caſe.

VII. Police darogahs and landholders in veſted with the charge of the police, are likewiſe ſtrictly prohibited from ſwearing witneſſes to the truth of their depoſitions on any local inveſtigation which may be made by them into the circumſtances of any murder, robbery, or other crime, or in the performance of any other of their duties preſcribed by the exiſting regulations.

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A. D. 1811. REGULATION VIII.

A REGULATION *for modifying certain parts of Regulations* XXXI *and* XXXVI, 1803.—PASSED *by the Vice Preſident in Council, on the* 16*th July* 1811; *correſponding with the* 2*d Sawun* 1218 *Bengal era; the* 10*th Sawun* 1218 *Fuſſily; the* 3*d Sawun* 1218 *Willaity; the* 11*th Sawun* 1868 *Sumbut; and the* 24*th Jumadi us Sani* 1226 *Higeree.*

WHEREAS under the rules contained in Regulations XXXI and XXXVI, 1803, the claims of Government to reſume the revenue of lands held free of aſſeſſment under illegal or invalid tenures are only cognizable in the courts of judicature: and whereas there is reaſon to believe that individuals availing themſelves of the difficulties experienced by the public officers in the eſtabliſhment of ſuch claims under the exiſting rules, have in many caſes appropriated to themſelves the revenue of lands, properly appertaining to the State, by which conſiderable loſs has been ſuſtained in the public reſources; the following rules have been enacted, to be

Preamble.

be immediately in force throughout thoſe parts of the ceded and conquered provinces, which are ſubject to the authority of the Board of Commiſſioners.

Certain parts of Regulations XXXI, and XXXVI, 1803, and of Regulation VIII, 1805, reſcinded.

II. Sections VII, VIII, IX, and XI, Regulation XXXI; and Sections VII, VIII, IX, and XI, Regulation XXXVI, 1803, reſpecting lands held exempt from the payment of revenue to Government in the territories ceded by the Nawaub Vizier; together with the proviſions of Regulation VIII, 1805, by which the ſaid ſections are extended to the conquered provinces (excepting Cuttack) and to Bundlecund, are hereby reſcinded.

Rules of proceeding in caſes of lands believed to be held exempt from aſſeſſment on invalid or illegal tenure.

III. Whenever a collector of revenue ſhall have reaſon to believe that any land is held exempt from the public aſſeſſment on an invalid or illegal tenure, he ſhall report the circumſtance to the Board of Commiſſioners, who, ſhould they be of opinion that proper grounds exiſt for an enquiry, ſhall direct the collector to call upon the holder of the lands to adduce, within one month from the receipt of the notice, any documentary or other evidence tending to eſtabliſh his right thereto; at the ſame time apprizing him, that in default of producing ſuch proof, the revenue of the land will be reſumed and aſſeſſed in the mode preſcribed by the regulations.

In ſuch caſes as the collector may, after due conſideration, deem the land reſumable, or the holder may omit to produce the neceſſary documents, the proceedings held ſhall be ſubmitted for the deciſion of the Board of Commiſſioners.

IV. If it ſhall appear to the collector, on due conſideration of the documents and other evidence, which may be adduced that the revenue of the land is reſumable on the principle of the rules contained in Regulations XXXI and XXXVI, 1803, or if the holder of the ſaid lands ſhall omit to produce any documentary or other evidence within the time preſcribed, or ſhall fail to ſhew good and ſufficient cauſe for ſuch omiſſion, it ſhall be in either caſe the duty of the collector to forward the whole of his proceedings on the ſubject, with his opinion thereon, to the Board of Commiſſioners, who will decide whether the land ſhall be deemed liable to the public aſſeſſment, or otherwiſe.

V.

And alſo in caſes in which the collector ſhall be of opinion that the land is not liable to aſſeſſment, but after the deciſion of the Board of Commiſſioners the queſtion ſhall not be again revived, unleſs in certain caſes.

V. If the collector, after receiving the documents or evidence adduced, ſhall be of opinion, that the land is not liable to the public aſſeſſment, he ſhall nevertheleſs tranſmit the whole of his proceedings in the caſe, with his opinion thereon, to the Board of Commiſſioners, who will decide the queſtion, and iſſue the proper orders for admitting or diſallowing the claim to hold the lands free of aſſeſſment. It ſhall not however be competent to Government, or its revenue officers, after the queſtion ſhall have been ſo decided, to revive the queſtion or diſturb the title of the occupant except on proof in a court of judicature, of fraud or colluſion in the previous enquiry; or except in the event of a transfer of the property or change of proprietor when a queſtion may in conſequence ariſe as to the hereditary or transferrible nature of the tenure.

Perſons conſidering themſelves aggrieved by the deciſion paſſed by the Board of Commiſſioners, may inſtitute a ſuit againſt Government within ſix months.

VI. Any perſon who may conſider himſelf aggrieved by the deciſion which may be paſſed by the Board of Commiſſioners, under the rules contained in Sections IV, and V, of this regulation, ſhall be at liberty to inſtitute a ſuit, in the courts of judicature againſt Government, to try the merits of the ſaid deciſion, provided that ſuch ſuit be inſtituted within the period of ſix months from the date on which it may be paſſed.

Such ſuits may be inſtituted without previous reference to Government, and ſhall be defended by the collectors under the inſtructions of the Board of Commiſſioners.

VII. Such ſuits may be inſtituted, without previous reference to the Governor General in Council againſt Government, and ſhall be defended by the collectors, under the inſtructions of the Board of Commiſſioners. The courts of judicature, in caſes in which they may be of opinion that the deciſion of the Board of Commiſſioners has been paſſed on erroneous grounds, will of courſe adjudge the plaintiff to be reinſtated in poſſeſſion of the lands in queſtion free of aſſeſſment, at the ſame time awarding to him ſuch coſts as may be ſufficient to reimburſe him for the expenſe to which he may have been ſubject; and giving proper directions for the adjuſtment of the accounts of the collections made from the lands, during the time that they may have been in the charge of the officers of Government.

Courts not to interfere in the proceedings of the collectors until a regular trial ſhall have taken place of the merits of the caſe.

VIII. But no court of juſtice ſhall iſſue any prohibition or injunction to ſtay proceſs previouſly to the formal deciſion of the caſe by the revenue officers; nor any precept or other order to prevent an ejectment conſequent to ſuch deciſion, until a full and complete trial ſhall have been had of the merits of that deciſion by a regular ſuit inſtituted under this ſection.

Perſons ſucceeding to lakheraje tenure, by death or other transfer of the proprietary right, ſhall notify the ſame to the collector within ſix months under pain of fine to a certain extent.

IX. Perſons ſucceeding to the poſſeſſion of a lakheraje tenure on the deceaſe of a former occupant, or by gift, purchaſe, or other transfer of proprietary right, are hereby required immediately to notify the ſame to the collector of the land revenue of the diſtrict in which the property may be ſituated, in order that the ſucceſſion or transfer may be duly regiſtered in his office; and any omiſſion to notify ſuch ſucceſſion or transfer for the period of ſix months after it has occurred, ſhall ſubject the offender to ſuch fine as the Board of Commiſſioners may judge proper to order to be impoſed upon him; not exceeding however the tenth part of the computed annual produce of the lands.

Perſons holding lands (of which they are not proprietors) free of aſſeſſment, declared liable to the payment of nankar or malikanna.

X. Perſons holding one or more entire village or villages, of which they are not the proprietors, free of aſſeſſment, are hereby declared ſubject to the payment of the ſame nankar or malikana to the zemindar, or other actual proprietors of the ſoil of ſuch entire village or villages, (if the ſettlement for the revenue ſhall not be concluded with the proprietor,) as ſuch zemindars or other actual proprietors would be entitled to receive under the exiſting regulations, if the land were malgoozaree; and the zemindar or other actual proprietor of every entire village thus held free of aſſeſſment, ſhall be entitled to recover ſuch nankar or malikana, by ſuit in the courts of judicature.

A. D. 1811. REGULATION IX.

A REGULATION *for facilitating the diviſion of landed property, and for ſecuring the rights of joint ſharers in joint undivided eſtates.*—PASSED *by the Vice Preſident in Council, on the* 30*th July* 1811; *correſponding with the* 16*th Sawun* 1218 *Bengal era; the* 24*th Sawun* 1218 *Fuſſily; the* 17*th Sawun* 1218 *Willaity; the* 10*th Sawun* 1868 *Sumbut; and the* 8*th Rajeeb* 1226 *Higeree.*

Preamble.

WHEREAS the intereſt and welfare of the landholders require that the diviſion of portions of eſtates ſhould be eaſily effected; And whereas the rules hitherto enacted, with a view to the accompliſhment of that object have been found inſufficient; the Vice Preſident in Council has been pleaſed to paſs the following rules, to be in force from the period of their promulgation, in the diſtricts ſubject to the control of the Board of Commiſſioners.

Rules under which putteedars or ſharers

II. Any putteedar or ſharer of a joint undivided eſtate, having the excluſive and acknowledged right to, and poſſeſſion of, one or

more

of undivided eſtates having the acknowledged right and poſſeſſion of villages, may cauſe a ſeparation thereof from the general eſtate.

more diſtinct village or villages in ſuch eſtate, ſhall be at liberty under the following reſervations and exceptions, to cauſe the ſaid village or villages to be ſeparated from the general eſtate; and the jumma of ſuch village or villages, ſhall be allotted after an exact meaſurement of the lands compriſed therein, by deducting from the groſs produce thereof an allowance, according to circumſtances, from five to ten per cent for the expenſe of management, and ten per cent of the net income of the proprietor, leaving the remainder as the jumma of Government. Provided always, that the quantity of land in actual cultivation at the time of ſeparation, be not leſs than five-ſixths of the land capable of tillage in the ſaid village or villages, and that no objection be offered to the fairneſs and adequacy of the aſſeſſment on the part of the other ſharers, in the general eſtate of which ſuch village or villages formed a part.

What the accounts of the meaſurement ſhall contain, and how they are to be prepared and diſpoſed of.

III. The account of the meaſurement directed in the preceding ſection, ſhall exhibit the whole of the actual groſs produce of the lands, and ſhall be formed under the immediate ſuperintendence of the collector. The original thereof ſhall be atteſted by the proprietor requiring the ſeparation, the putwary of the village, the mirdahs, canongoes and tehſeeldar of the pergunnah. Copies of all ſuch meaſurements ſhall be kept in the office of the canongoes, and annually bound in a book, to be atteſted with the official ſeal and ſignature of the collector, and then returned to thoſe officers for depoſit among their records.

How the expenſe of the meaſurement is to be defrayed.

IV. The meaſurement directed in Section II, ſhall be made entirely at the expenſe of the party requiring the diviſion; and the rules laid down in Regulation V, 1810, as far as they regard the mode of payment of perſons employed in dividing lands, are to be applied to this caſe.

How putteedars poſſeſſing a defined ſhare

V. Any putteedar in the actual poſſeſſion and occupancy of a defined ſhare in a joint undivided eſtate, (whether ſuch ſhare be defined by a ſpecific quantity of land, or a ſpecified fractional part of a rupee, or of a begah) who may be deſirous of having a ſeparate allotment made of the proportional jumma, to which he would be liable in the proportion of his intereſt in the eſtate, ſhall be at liberty to preſer to the collector an application to this effect, and the collector on receipt thereof, ſhall proceed to allot the ſeparate aſſeſſment of ſuch ſhare in the mode preſcribed by Section II, for the allotment of entire villages. Provided however, that if the ſpecific intereſt of the party in the eſtate ſhall be diſputed by the other ſharers, no ſeparate allotment ſhall take place until his ſpecific intereſt ſhall have been aſcertained by award of arbitration, as provided in a ſubſequent part of this regulation for claimants not in poſſeſſion, or by the decree of a court of judicature.

in an undivided eſtate may procure a ſeparate allotment of the proportional jumma.

VI. Whenever all the occupant putteedars of a joint undivided eſtate, ſhall deſire or conſent to an allotment of the jumma on the ſhares in their reſpective occupancy, and ſhall deliver to the collector in writing a petition ſigned by the whole of them, containing a ſtatement of the proportional allotment affixed by themſelves on each ſhare; it ſhall be competent to the collector, with the approbation of the Board of Commiſſioners, after having ſatisfied himſelf by minute and accurate enquiry, that the ſtatement in queſtion is the bonâ fide declaration of the ſubſcribing parties; that the ſignatures are voluntary and authentic; and that Government is not liable to ſuffer in its intereſts by the meaſure, to take ſeparate engagements for each puttee from the owner thereof as a diſtinct proprietor at the jumma ſo fixed by the putteedars conjointly; And no non-occupant putteedar ſhall be entitled afterwards to aſſent to, or diſſent from, the allotment.

Rules in the caſe of all the occupant putteedars deſiring or conſenting to an allotment of the jumma on their reſpective ſhares.

VII. Whenever all the occupant putteedars of a joint undivided eſtate ſhall deſire ſuch an allotment, but may not agree among themſelves in regard to their reſpective proportions of the

Rules in the caſe of ſuch putteedars deſiring an allotment but not agreeing as to their

jumma

respective proportions.

jumma ſo to be allotted; the collector, on receipt of an application to that effect under the ſeals or ſignatures of the whole of ſuch putteedars, and after ſatisfying himſelf of the voluntary concurrence of all the ſubſcribing parties, ſhall proceed to allot the proportional jumma of each reſpective ſhare, by cauſing an actual and exact meaſurement to be made of the entire eſtate and of each ſhare, by an aumeen to be deputed for the purpoſe, or by the tehſeeldar, canongoes and mirdahs of the pergunnah; and the expenſe of ſuch meaſurement ſhall be defrayed by all the putteedars in the proportion of their reſpective intereſts.

Rules as to the conduct of ſuch allotments.

VIII. The Board of Commiſſioners ſhall inſtruct the collectors, from time to time, as to the mode by which the duties directed in the preceding ſections may be beſt conducted; and all diviſions and allotments made under theſe rules ſhall be recorded in the canongoe's office, and atteſted by the parties and by the local mofuſſil officers in the ſame manner as is directed by Section III, in regard to the meaſurement of diſtinct villages. It is moreover to be underſtood, that all the proviſions of the exiſting regulations in regard to aumeens deputed by a collector, ſhall be held applicable to aumeens deputed under Sections II, V, and VII, of the preſent regulation.

No diviſion or allotment to be valid until ſanctioned by the board of commiſſioners, and government may reviſe the aſſeſſment within ten years in certain caſes.

IX. No diviſion of a ſhare in an eſtate or allotment of jumma therein ſhall be conſidered valid, until expreſſly ſanctioned by the Board of Commiſſioners; and the Governor General in Council reſerves to himſelf the power of reviſing the aſſeſſments made under Sections II, V, VI, and VII, at any time within the period of ten years after the making thereof, on proof to his ſatisfaction of fraud, colluſion, or groſs error.

Rules in caſes of perſons not in poſſeſſion, claiming to be putteedars.

X. Any perſon claiming to be a putteedar or joint ſharer in an eſtate, but not having actual poſſeſſion of any ſpecific portion thereof, ſhall be at liberty to prefer his claim before the collector, who will thereupon ſerve on the party or parties, who have engaged for the eſtate in proprietary right, a written notice ſetting forth the claim and calling upon ſuch party or parties for an admiſſion or denial of the claim; and if the ſaid party or parties admit by a writing authenticated by his or their ſeal or ſignature, and atteſted by the canongoes, the right of the claimant to a ſpecific portion of the eſtate, it ſhall be competent to the collector to give the claimant poſſeſſion of ſuch ſpecific portion, and to proceed to a ſeparate allotment of the jumma of ſuch portion under the proviſions of Section II, or V, of this regulation, according as ſuch portion may conſiſt either of one or more diſtinct village or villages, or of a defined ſhare in the entire eſtate.

Rules in the event of ſuch claims being denied or diſputed.

XI. In the event of the claim being denied, or the ſpecific intereſt of the claimant being diſputed, the collector ſhall recommend to the ſeveral parties to ſubmit the matter in diſpute to the arbitration of three or more of the neighbouring zemindars, aſſiſted by the canongoes of the pergunnah; and on the parties conſenting to appoint arbitrators, it ſhall be competent to the collector to tender to the parties for execution arbitration bonds in the form preſcribed by Regulation XXI, 1803; and on the due execution of the arbitration bonds by the parties, to refer the matter for deciſion to the arbitrators; and all the proviſions of the ſaid Regulation ſhall be applicable to awards given by arbitrators appointed under this ſection. Provided however, that if either party refuſe to concur in ſubmitting the matter to arbitration, the claimant ſhall be left to proſecute his claim by regular ſuit in the courts of judicature.

What the award or decree in ſuch caſes ſhall contain and how to be carried into effect.

XII. The arbitrators in all caſes referred to them for amicable adjuſtment under the foregoing ſection, and the courts of judicature in all ſuits for putteedaree ſhares of an eſtate ſhall make it a rule, on giving a deciſion in favor of the claimant, to ſpecify in the award or decree, the precise ſhare to which the claimant may be entitled, whether it conſiſt of one or more diſtinct village or villages, or of a defined portion of the general eſtate. The collector on production of ſuch award or decree ſhall proceed to the ſeparate allotment of the jumma of the ſhare thus awarded or decreed under the proviſions of Section II, or V, of this regulation, according as they may be reſpectively applicable to the caſe.

The ſhares after the ſeparate allotment ſhall not be liable for any arrears except ſuch as may accrue on its ſeparate proportion of the jumma.

XIII. After the ſeparate allotment of the jumma upon any one or more ſhare or ſhares of an eſtate, or upon all the ſhares of an eſate ſhall have been made in conformity to the proviſions of Sections II, V, VI, or VII, of this regulation, according as the proviſions of either may be applicable to the caſe, and ſhall have been confirmed by the Board of Commiſſioners under Section IX; the ſhare or ſhares upon which a ſeparate proportion of the general jumma may have been ſo allotted, ſhall not be held liable for any default or arrear of revenue, except ſuch as may accrue on the ſeparate proportion of jumma thus allotted upon ſuch ſhare or ſhares. And in the event of its being neceſſary to have recourſe to a ſale of lands for the recovery of any arrear of revenue due from ſuch an eſtate, the ſhare or ſhares, from which the arrear may be due, ſhall alone be liable to be ſold.

Board of Commiſſioners may in certain caſes authorize a conditional tranſfer of defaulting ſhares.

XIV. In conſideration of the peculiar nature of the putteedaree tenures to which this regulation is meant to apply; it is hereby declared, that whenever the Board of Commiſſioners ſhall deem it expedient not to proceed to the abſolute ſale of ſuch defaulting ſhare, it ſhall be competent to the ſaid Board to authorize a conditional tranſfer of ſuch ſhare to the proprietor of any other ſhare of the ſame general eſtate by way of mortgage or conditional ſale, for the amount of the arrear, or of ſuch portion of it as may be equal to the value of the defaulter's ſhare, or with a reſervation for a further payment to the owner, if the value of the ſhare in the Board's judgment exceed the amount of the arrears: And the de-defaulting proprietor or proprietors of the ſhare ſo transferred, and his or their legal repreſentative or repreſentatives ſhall be entitled to reclaim poſſeſſion of ſuch ſhare or ſhares on repayment of the conſideration, for which it may have been ſo transferred, with legal intereſt at any time within five years from the date of the transfer.

Rules as to tenders of repayment under ſuch conditional transfers.

XV. If the perſon to whom ſuch defaulting ſhare ſhall have been ſo transferred, ſhall on tender of repayment before two competent witneſſes, refuſe to accept the ſame and to ſurrender poſſeſſion of the land, the party tendering it ſhall be at liberty to depoſit the amount in the zillah court, and the judge ſhall on ſuch depoſit being made, proceed as is directed by Regulation XXXIV, 1803, in regard to the redemption of conditional ſales by the act of the party. If payment of the principal and intereſt ſhall not be tendered within five years, the puttee will of courſe become the bonâ fide property of the mortgagee.

Depoſit to be made with the collector before any final proceſs for diviſion or allotment ſhall iſſue.

XVI. No final proceſs ſhall iſſue from the collector's office for the actual diviſion of lands or allotment of jumma under any of the rules contained in this regulation, until the parties ſoliciting ſuch diviſion or allotments ſhall have depoſited with the collector a fee equal to one per cent on the eſtimated groſs produce of the land ſo to be divided, as ſoon as the ſame may have been aſcertained according to the proviſions applicable under this regulation to the caſe of ſuch diviſion or allotment.

How ſuch depoſit is to be appropriated.

XVII. The fee required in the preceding ſection, ſhall be annually accounted for to the Board of Commiſſioners, who will after inſpecting the annual regiſter directed to be prepared by Section III, of this regulation, direct its appropriation to the benefit of the native officers in ſuch proportions as may appear proper, on a due conſideration of the accuracy and induſtry of thoſe officers in preparing the regiſter, and the general execution of the duties preſcribed for facilitating the diviſion of landed property.

Theſe rules not to prevent perſons availing themſelves of the proviſions of

XVIII. Nothing contained in the foregoing rules ſhall be conſtrued to prevent perſons availing themſelves of the proviſions contained

Regulation V, 1810.

contained in Regulation V, 1810, in caſes in which they may not wiſh to apply for and obtain a ſeparation of their puttees or ſhares under the preſent regulation, or in caſes in which this regulation may not be applicable.

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A. D. 1811. REGULATION X.

A REGULATION *for preventing the importation of ſlaves from foreign countries, and the ſale of ſuch ſlaves in the territories immediately dependent on the preſidency of Fort William.*—PASSED *by the Vice Preſident in Council, on the 6th Auguſt* 1811; *correſponding with the* 23*d Sawun* 1218 *Bengal era; the* 2*d Bhadoon* 1218 *Fuſſily; the* 24*th Sawun* 1218 *Willaity; the* 2*d Bhadoon* 1868 *Sumbut; and the* 15*th Rajub* 1226 *Higeree.*

Preamble.

WHEREAS inſtances have occurred of the importation of ſlaves from foreign countries into the Britiſh Territories; and whereas ſuch traffick is inconſiſtent with the dictates of humanity and with the principles by which the adminſtration of this country is conducted; the following rules have been enacted, to be in force immediately on their promulgation throughout the territories immediately dependent on the preſidency of Fort William.

The importation of ſlaves by land or by ſea prohibited.

II. The importation of ſlaves whether by land or by ſea into the places immediately dependent on the preſidency of Fort

William, is hereby ſtrictly prohibited; and any perſon infringing this prohibition, ſhall be liable to be proſecuted and puniſhed for the offence by the courts of criminal judicature.

Penalties for a breach of the foregoing rule.

III. Any perſon who may be convicted of the offence of importing Slaves into the Britiſh territories ſubſequently to the promulgation of this regulation, ſhall be ſentenced to impriſonment for the period of ſix months, and to pay a fine to Government, according to his circumſtances in life; not exceeding however the ſum of rupees two hundred, commutable, if not duly diſcharged, to impriſonment for the further period of ſix months on the expiration of the former part of the ſentence.

Perſons imported as ſlaves, ſhall be diſcharged or ſent back.

IV. Perſons imported as ſlaves into the Britiſh territories ſhall be liable to be diſcharged or ſent back to their friends and connexions in the country from which the may have been imported, according as may appear moſt adviſable to the magiſtrate by whom the deciſion on the caſe may be paſſed.

Captains of certain ſhips importing at Calcutta ſhall previouſly to landing their cargoes execute a penalty bond not to ſell ſlaves.

V. *Firſt.* For the more effectual prevention of the importation of ſlaves at the port of Calcutta, captains or ſupercargoes of veſſels, with the exception of the Honorable Company's ſhips, importing at Calcutta, ſhall, previouſly to being permitted to land any part of their cargo or goods, execute a bond, rendering themſelves liable to the payment of a penalty of rupees five thouſand, in the event of their diſpoſing of any perſons, as ſlaves

By whom ſuch bond is to be taken.

Second. The bond mentioned in the preceding clauſe ſhall be taken by one of His Majeſty's juſtices of the peace, acting in and for the town of Calcutta, who will of courſe cauſe it to be executed in due form.

The collector of government cuſtoms to aſcertain that ſuch bond has been executed

Third. It ſhall be the duty of the collector of government cuſtoms at Calcutta, to aſcertain that the preſcribed bond has been executed, previouſly to permitting any part of the cargo or goods of any veſſel, the Honorable Company's ſhips excepted, to be landed.

previouſly to permitting the cargo to be landed.

Fourth. The following is the form of the bond to be taken in the caſes above ſtated:

Form of the bond.

KNOW ALL MEN by theſe preſents, that I captain of the now lying and being in the river Hooghly in Bengal, am held and firmly bound unto the United Company of Merchants of England trading to the Eaſt Indies, in the ſum of five thouſand ſicca rupees of lawful money of Bengal, to be paid to the ſaid United Company, their certain attorney, ſucceſſors or aſſigns, for which payment to be well and truly made, I bind myſelf, my heirs, executors and adminiſtrators, firmly by theſe preſents, ſealed with my ſeal, dated the day of in the year of our Lord one thouſand eight hundred and

THE CONDITION of this obligation is ſuch, that if the above bounden has made a juſt and true report in writing to the cuſtom maſter of Calcutta, of the number of perſons, male and female, imported by him into Bengal, in and on board the abovementioned and if the ſaid has not ſince his laſt arrival in Bengal, and ſhall not whilſt he the ſaid or the ſaid ſhall be or remain in Bengal, land for the purpoſe of ſelling, giving away, or otherwiſe diſpoſing of any perſon or perſons imported on board the ſaid as and for a ſlave or ſlaves, and if the ſaid has not ſold, given away, or diſpoſed of, and ſhall not in Bengal, or in any of the countries of or under the management of the ſaid United Company, their governors or ſervants in India, ſell, give away, or diſpoſe of any perſon or perſons, male or female, imported on board the ſaid on this her laſt arrival in Bengal as and for a ſlave or ſlaves, then this obligation ſhall be void, otherwiſe the ſame ſhall be and remain in full force and virtue.

Sealed and Delivered (where no ſtamps are uſed) in the preſence of }

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A. D. 1811. REGULATION XI

A REGULATION *for extending the period fixed by the exiſting regulations for reviſing the jumma on lands ordered to be divided into two or more eſtates.*—PASSED *by His Excellency the Vice Preſident in Council, on the* 20*th Auguſt* 1811*; correſponding with the* 5*th Bhadoon* 1218 *Bengal era; the* 16*th Bhadoon* 1218 *Fuſſily; the* 6*th Bhadoon* 1218 *Willaity; the* 1*ſt Bhadoon* 1868 *Sumbut; and the* 29*th Rajub* 1226 *Higeree.*

WHEREAS it is declared by Section XXV, Regulation XXV, 1793, extended to Benares, by Section II, Regulation XXVI, 1795, and re-enacted for the ceded and conquered provinces by Section LV, Regulation XXVI, 1803, in regard to the allotment of the public jumma on lands, ordered to be divided into two or more eſtates, that "if it ſhall be proved to "the ſatisfaction of the Governor General in Council within "three years after the parties may have been put in poſſeſſion, "that the jumma was fraudulently or erroneouſly apportioned at "the time of the diviſion, he reſerves to himſelf the power of "ordering Preamble.

"ordering a new allotment of the jumma upon the ſeveral eſtates, "into which it may have been divided, &c." and whereas the ſecurity of the public revenue requires that the ſaid period of three years ſhould be extended; the following rules have been enacted, to be in force from the period of their promulgation throughout the provinces immediately dependent on the Preſidency of Fort William.

Certain parts of Section XXV, Regulation XXV, 1793, Section II, Regulation XXVI, 1795, and Section LV, Regulation XXVI, 1803, reſcinded.

II. Such part of Section XXV, Regulation XXV, 1793, Section II, Regulation XXVI, 1795, and Section LV, Regulation XXVI, 1803, as determines the period of time within which it ſhall be competent for the Governor General in Council to order a reviſion of the jumma with a view to the correction of frauds or errors committed in the original allotment of the jumma, is hereby reſcinded.

On proof of fraud or material error within ten years ſubſequent to any future allotment, government may order a reallotment of the jumma.

III. Should it be proved to the ſatisfaction of the Governor General in Council, that any fraud or material error has been committed in the allotment of the jumma on lands ordered to be divided into two or more diſtinct eſtates from and after the date of this regulation, within the term of ten years, ſubſequent to the period at which ſuch diviſion and allotment may have been made, it ſhall be competent for the Governor General in Council to order a reallotment of the jumma on the principles eſtabliſhed by the exiſting regulations.

The period of ten years to be calculated from the date of the confirmation of the allotment by the Board of Revenue, or Board of Commiſſioners.

IV. *Firſt.* The period of ten years ſhall be calculated from the date on which the partition of the lands and allotment of the jumma may receive the confirmation of the Board of Revenue or Board of Commiſſioners, according as the lands may be ſituated in the diſtricts ſubject to the controul of thoſe Boards in all matters connected with the land revenue reſpectively: and no ſuch partition and allotment is to be conſidered to be final or valid (as is in ſubſtance provided by the exiſting regulations),

gulations), until it ſhall have been formally and expreſſly ſancti-oned by one or other of thoſe authorities.

Tahoods and engagements not to conſtitute diſtinct eſtates until ſanctioned by Government or the Boards.

Second. In like manner Tahoods executed for portions of eſtates, and the correſpondent engagements ſhall not be conſidered to conſtitute diſtinct eſtates until the acceptance of them ſhall have been formally and expreſſly ſanctioned by the Government, or the Board of Revenue, or Board of Commiſſioners.

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A. D. 1811. REGULATION XII.

A REGULATION *for augmenting the number of Judges of the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut, according as may from time to time appear neceſſary for the diſpatch of the buſineſs of thoſe Courts.*—PASSED *by the Vice Preſident in Council, on the* 27*th Auguſt* 1811*; correſponding with the* 12*th Bhadoon* 1218 *Bengal era; the* 23*d Bhadoon* 1218 *Fuſſily; the* 13*th Bhadoon* 1218 *Willaity; the* 8*th Bhadoon* 1868 *Sumbut; and the* 7*th Shabaan* 1226 *Higeree.*

Preamble.

WHEREAS it is enacted by Section III, Regulation XV, 1807, that the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut, ſhall conſiſt of a Chief Judge, being a Member of the Supreme Council, but not the Governor General or Commander in Chief; and of three Puiſne Judges, to be ſelected from among the Company's covenanted ſervants; And whereas the increaſed number of trials in thoſe Courts renders it neceſſary, that the number of Judges ſhould be augmented; the following rules have been enacted, to be in force from the period of their promulgation.

II.

Section III, Regulation XV, 1807, reſcinded.

II. *Firſt.* Section III, Regulation XV, 1807, is hereby reſcinded.

What number of judges the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut ſhall in future conſiſt of.

Second. The Courts of Sudder Dewanny Adawlut and Nizamut Adawlut, ſhall in future conſiſt of a Chief Judge, and of as many Puiſne Judges, as the Governor General in Council may from time to time deem neceſſary for the diſpatch of the buſineſs of thoſe Courts.

A. D. 1811. REGULATION XIII.

A REGULATION *for the more convenient and efficient diſcharge of the duties of the Board of Revenue.*—PASSED *by the Vice Preſident in Council, on the* 18*th October* 1811; *correſponding with the* 3*d Kautick* 1218 *Bengal era; the* 16*th Kautick* 1219 *Fuſſily; the* 4*th Kautick* 1219 *Willaity; the* 1*ſt Kautick* 1868 *Sumbut; and the* 29*th Ramzaan* 1226 *Higeree.*

Preamble.

WHEREAS by Section XLIX, Regulation II, 1793, two Members are required to form a Board of Revenue; and whereas the ſaid Board now conſiſts of only two Members, excluſive of the Preſident, who is likewiſe a Member of the Supreme Council: and whereas it may often be convenient and adviſable that one of the Members ſhould ſuperintend in perſon the concluſion of ſettlements and the performance of other duties ſubject to their control; the following rules have been enacted, to be immediately in force in the Provinces of Bengal, Behar, and Oriſſa, including Cuttack.

Whenever neceſſary, a Member of the Board of Revenue ſhall proceed in perſon

II. Whenever circumſtances may in the judgment of the Governor General in Council, or of the Board of Revenue itſelf, render it adviſable that the performance of any of the public duties into that part of the country where his ſervices may be required in the concluſion of ſettlements and the performance of other duties.

duties entruſted by the general regulations to the ſuperintendence of that Board, ſhould be ſuperintended by a Member of the ſaid Board in perſon and on the ſpot, one of the Members ſhall proceed to that part of the Country in which his preſence and ſervices may be required.

The Board, with the approbation of government to determine to what diſtrict or diſtricts his authority ſhall extend.

The Board of Revenue, with the approbation of the Governor General in Council, ſhall at the ſame time determine to what diſtrict or diſtricts the authority of the Member ſo proceeding on deputation ſhall extend.

The Board alſo to determine what part of the eſtabliſhment of their Secretary's Office ſhall attend the Member proceeding on deputation.

III. The Board of Revenue with the ſanction aforeſaid, will alſo determine what part of the Eſtabliſhment of their Secretary's Office, ſhall attend the Member proceeding on deputation, for the purpoſe of aiding in the diſcharge of the duties entruſted to him.

The Member proceeding on deputation competent to exerciſe all the duties, power and authority veſted in the Board of Revenue collectively, within the limits eſtabliſhed for his excluſive control under Section II, of this regulation. During the period of ſuch deputation, a ſingle Member of the Board may exerciſe at the preſidency all the duties, power and authority veſted in the Board collectively, in the remaining parts of the Provinces of Bengal, &c. Two Members to conſtitute a regular and legal meeting of the Board, whenever the Acting Preſident and junior Member, ſhall be both at the Preſidency.

IV. The Member of the Board of Revenue ſo employed, ſhall be entitled to exerciſe all the duties, power, and authority which are or may be veſted in the Board of Revenue collectively, within the limits which may be eſtabliſhed for his temporary and excluſive control under Section II, of this Regulation. In like manner, a ſingle Member of the Board of Revenue ſhall during the period of ſuch deputation, be competent to exerciſe at the Preſidency all the duties, power and authority, veſted in the Board collectively, in the remaining parts of the Provinces of Bengal, Behar, and Oriſſa, including Cuttack; provided however, that whenever the Acting Preſident and junior Member of the Board of Revenue ſhall be both at the Preſidency, two Members ſhall be required as at preſent to conſtitute a regular and legal meeting of the Board.

Correſpondence and documents how to be depoſited on the termination of any deputation by a Member.

V. On the termination of any deputation by a Member of the Board of Revenue, the correſpondence and other documents connected with ſuch deputation ſhall be carefully depoſited in the Office of the Board's Secretary at the Preſidency.

* * *

A. D. 1811. REGULATION XIV.

A REGULATION *for amending the proviſions of the exiſting regulations, reſpecting the puniſhment of criminals by tranſportation, and for modifying the rules in force regarding the offices of judge and magiſtrate of the 24-Pergunnahs.*—PASSED *by the Governor General in Council, on the 3d December* 1811*; correſponding with the* 19*th Aghun* 1218 *Bengal era; the* 3*d Pooſe* 1219 *Fuſſily; the* 20*th Aghun* 1219 *Willaity; the* 3*d Pooſe* 1868 *Sumbut; and the* 16*th Zekaad* 1226 *Higeree.*

Preamble.

WHEREAS under the rules contained in Regulation LIII, 1803, in Regulation VIII, 1808, and in other regulations, perſons convicted of certain crimes againſt ſociety are liable to be tranſported for life beyond ſea; and whereas the delay experienced in carrying ſuch ſentences into execution, and other conſiderations connected with the public convenience and the general reform of the police, render it expedient that thoſe rules ſhould be modified; and whereas it has been judged adviſable to eſtabliſh the offices of judge and magiſtrate of the 24-Pergunnahs, on a different footing from that on which they are conſtituted under

Regulation VII, 1806, and Regulation X, 1808; the following rules have been enacted, to be in force from the 1ſt of January next.

Such parts of Regulation LIII, 1803, Regulation VIII, 1808, and other regulations, as regard the puniſhment of criminals by tranſportation beyond ſea, reſcinded.

II. *Firſt.* Such of the proviſions contained in Regulation LIII, 1803, Regulation VIII, 1808, and in other Regulations, as declare that perſons convicted of the crimes therein mentioned, ſhall be ſentenced to tranſportation beyond ſea, are hereby reſcinded.

Perſons convicted of crimes which under the Regulations noticed in the preceding clauſe, would have ſubjected them to impriſonment and tranſportation beyond ſea for life, to be adjudged to ſuffer impriſonment for life in the jail at Allypore in the vicinity of Calcutta.

Second. Perſons convicted of any of the crimes, which under the Regulations noticed in the preceding clauſe, would have ſubjected them to impriſonment and tranſportation beyond ſea for life, ſhall be adjudged to ſuffer impriſonment for life in the jail erected at Allypore, in the victinity of Calcutta, under the cuſtody of ſuch perſon as Government may from time to time deem proper to inveſt with the charge of that jail.

Perſons ſentenced to impriſonment for life in the jail at Allypore to be on no account permitted to quit the area attached to the jail, except in caſes of ſickneſs or accidents.

Third. Perſons ſentenced to impriſonment for life in the above mentioned jail, ſhall on no account be permitted to quit the area attached to the jail, for the purpoſe of being employed on the public roads, or for any other purpoſe, except in caſes in which ſickneſs or accidents may require that they ſhould be taken to the hoſpital attached to the jail, and they ſhall be uniformly relodged within the jail whenever their health may admit.

And they are to be uniformly relodged within the jail.

Perſons ſentenced to impriſonment for life in the Allypore jail, to be employed as the ſuperintendent of the jail ſhall direct.

Fourth. Perſons ſentenced to impriſonment for life in the jail at Allypore, ſhall be employed in the manufacture of articles for which a conſtant demand may exiſt at the preſidency, or in ſuch other labor as the ſuperintendent of the jail may direct, ſubject of courſe to any inſtructions with which he may be at any time furniſhed on the queſtion by the Governor General in Council.

III. *Firſt.* Such parts of Regulation VII, 1806, as enact that a court of civil judicature excluſively, ſhall be eſtabliſhed in the vicinity of Calcutta, to be denominated the dewanny adawlut of the 24-Pergunnahs, and ſuch parts of Regulation X, 1808, as enact that the perſon holding the office of ſuperintendent of police in the lower Provinces, ſhall be likewiſe magiſtrate of the 24-Pergunnahs, are hereby reſcinded.

Such parts of Regulation VII, 1806, as enact that a court of civil judicature excluſively ſhall be eſtabliſhed in the 24-Pergunnahs, and ſuch parts of Regulation X, 1808, as enact that the perſon holding the office of ſuperintendent of police in the lower Provinces, ſhall be likewiſe magiſtrate of the 24-Pergunnahs, reſcinded.

Second. The offices of judge and of magiſtrate of the 24-Pergunnahs, ſhall be united in the ſame perſon, on the footing on which thoſe offices are conſtituted generally, in other parts of the country.

The offices of judge and of magiſtrate of the 24-Pergunnahs, to be united in the ſame perſon on the footing on which thoſe offices, are conſtiuted generally in other parts of the Country.

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OF THE

INDEX

TO THE

REGULATIONS

OF

1811.

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ALTERATIONS, MODIFICATIONS, EXTENSIONS, AND *RESCISSIONS,* *&c. &c.*

Regulations altered, &c &c.					*By what Regulation.*		
Year	*Regulation.*	*Section.*	*Clause.*		*Regulation*	*Section.*	*Clause.*
1793	IX.	X.		Extension of - -	VII.	V.	
——	XXV.	XXV.		Rescinded in part by -	XI.	II.	
——	XXVII.	XV.		Rescinded in part by -	VI.	——	
1795	XXVI.	II.		Rescinded in part by -	XI.	II.	
1797	VII.	IV.		Modified by - - -	V.	——	
1799	VII.	X.		When further applied by - - -	I.	XI.	*Sixth.*
1800	VI.	III.		Modified by - - -	V.	——	
1803	LIII.	V.		Modified by - - -	I.	II.	*First.*
——	XL.	VI.		Ditto - - -	V.	——	
——	XL.	XV.		Ditto - - -	V.	——	
——	XXXI.	VII. VIII. IX. & XI.		Rescinded - - -	VIII.	II.	
——	XXVI.	LV.		Rescinded in part by -	XI	II.	
——	LIII.	——		Rescinded in part by -	XIV.	II.	
1804	I.	——		Rescinded in part by -	II.	II.	
——	I.	XXIII. XXIV. XXV. & XXVI.		Enforced by - -	II.	IV.	
1805	III.	VI.		Modified by - -	I.	II.	*First.*
——	VIII.	——		Partly rescinded by -	VIII.	II.	
1806	VII.	——		Rescinded in part by -	XIV.	XIII.	*First.*
——	XI.	XX.	XXIX.	Rescinded by - -	II.	II.	
1807	IX.	XIV.	*Second & Third.*	Modified by - -	VII.	IV.	
——	XV.	III.		Rescinded by - -	XII.	II.	*First.*
1808	VIII.	——		Rescinded in part by -	XIV.	II.	
——	IX.	XIII.		Applied by - -	I.	X.	
——	X.	——		Rescinded in part by -	XIV.	III.	*First.*
1810	V.	——		Further applied in part by - - -	IX.	IV.	
——	IX.	XII.	*Second.*	Modified by - -	III.	V.	
——	——	XIII.		Ditto - -	III.	V.	
——	——	LXXV		Ditto - -	III.	V.	
——	IX.	XIII.	*Second.*	Further applied by -	III.	VII.	
——	——	XLVIII.	*Twelfth.* *Thirteenth* *Fourteenth* *Fifteenth.*	Rescinded by -	III.	IX.	
——	XIV.	V.		Further applied by -	I.	IX.	*First.*
——	XV.	——		Amended by -	IV.	II. & III.	

	Regulation.	Section.	Clause.
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Rules for the more efficient discharge of the duties thereof,	XIII.	I.	
A member in what cases to proceed in person to superintend any duties, the extent of his authority by whom to be determined,	——.	II.	
What part of the secretary's establishment to proceed with the member deputed, by whom to be deputed,	——	III.	
Deputed member to exercise the power vested in the Board collectively, single member at the presidency during such deputation, likewise competent to exercise the authority vested in the board over all other parts subject to its jurisdiction; when both members are at the presidency, the presence of both requisite to constitute a board,	XIII.	IV.	
Where the documents connected with the deputation are to be deposited, on its termination,	——	V.	
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	Regulations.	Section	Clause.
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The period of 10 years from what date calculated, -	XI.	IV.	*First.*
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	Regulation.	Section.	Clause.
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	Regulation.	*Section.*	*Clause.*
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such

	Regulation.	Section.	Clause.
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TITLES

OF THE

REGULATIONS,

PASSED IN THE

YEAR 1812.

REGULATION

I.

A REGULATION *for modifying certain parts of Regulation* IX, 1810; *for impoſing a duty on horſes, imported by Sea, with an exception to horſes imported from Europe; and for prohibiting the exportation of woollens from Bengal to China.—Paſſed on the* 13*th of January*, 1812.

II.

A REGULATION *for levying a duty on the coinage of ſilver bullion, and on the recoinage of rupees and other coins, with certain exceptions, at the mints eſtabliſhed at Calcutta, Furruckabad and Benares; for defining the weight and ſtandard of the Benares rupee; for modifying the rates of duty at preſent levied on the coinage of gold bullion in the mint of Calcutta; and alſo for eſtabliſhing certain rules for the conduct of the buſineſs of the above-mentioned mints reſpectively.—Paſſed on the* 21*ſt of March*, 1812.

III.

A REGULATION *for amending ſome of the rules at preſent in force in regard to the conduct of enquiries into charges of a criminal nature, and for eſtabliſhing additional proviſions, with a view to the more effectual apprehenſion of criminals.—Paſſed on the 18th of April,* 1812.

IV.

A REGULATION *to enable the Governor General in Council to inſtitute or defend, through the medium of the public officers of Government, actions, in which native princes, whom it would be improper to require to appear as plaintiffs or defendants in the courts of judicature, may be parties.—Paſſed on the* 24*th of April* 1812.

V.

A REGULATION *for amending ſome of the rules at preſent in force for the collection of the land revenue.—Paſſed on the* 1*ſt of May,* 1812.

VI.

A REGULATION *for altering the form of bond, inſerted in Clauſe Fifth, Section* III, *Regulation* III, 1811.—*Paſſed on the* 2*d of May,* 1812.

VII.

A REGULATION *for reſcinding Regulations* XV, 1810, *and* IV, 1811.—*Paſſed on the* 9*th of May,* 1812.

VIII.

A REGULATION *for declaring the manufacture of ſaltpetre, to be a monopoly on the part of Government; for preventing the illicit manufacture of ſaltpetre; and for regulating the conduct of the agents, and all perſons employed in the proviſion of that article, in the provinces of Bengal, Behar, Oriſſa, and Benares.—Paſſed on the* 30*th of May,* 1812.

REGULATION.

IX.

A REGULATION *for modifying ſome of the rules before enacted, regarding the ſettlement of the ceded provinces.—Paſſed on the 11th of July,* 1812.

X.

A REGULATION *for modifying ſome of the rules before enacted, regarding the ſettlement of the conquered provinces, lying on the right and left banks of the river Jumna, of the territory ceded by His Highneſs the Peiſhwa in Bundlecund, and of the diſtrict of Cuttack.—Paſſed on the 11th of July* 1812.

XI.

A REGULATION *to empower the Governor General in Council to order the removal of emigrants from foreign countries, and their deſcendants from any place in the vicinity of the frontier of the ſtate, from which they may have emigrated; and, in certain caſes, to place and detain any ſuch perſons in ſafe cuſtody; and likewiſe to provide for the trial of emigrants and their deſcendants, who may excite diſturbances in the countries from which they may have emigrated, and of perſons aiding them in the proſecution of ſuch attempts.—Paſſed on the 18th of July,* 1812.

XII.

A REGULATION *to require that all law and money papers be written on ſtampt paper, or that the preſcribed ſtamp be affixed to them within ſixty days from the date of their execution, on pain of not being afterwards received in evidence in any of the courts of judicature.—Paſſed on the 25th of July,* 1812.

XIII.

A REGULATION *for eſtabliſhing a duty on the iſſue of licenſes for the ſale or manufacture of ſpirituous liquors, intoxicating drugs, taurie, and putchwye.—Paſſed on the 25th of July* 1812.

REGULATION.

XIV.

A REGULATION *for modifying in certain caſes the rule contained in Section* II, *Regulation* V, 1812, *regarding the grant of leaſes by the proprietors of lands in the ceded and conquered provinces to their tenants.—Paſſed on the* 31*ſt of July*, 1812.

XV.

A REGULATION *for extending to the ceded and conquered provinces, and to the province of Benares, certain parts of Regulation* I, 1811, *and for reſcinding Regulation* II, 1810.—*Paſſed on the* 8*th of Auguſt*, 1812.

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A REGULATION *for authorizing the judge of the dewanny adawlut of the zillah of the* 24 *Pergunnahs, to execute judgments paſſed by the Court of Requeſts for the Town of Calcutta.—Paſſed on the* 15*th of Auguſt*, 1812.

XVII.

A REGULATION *for modifying the rates of duty eſtabliſhed by Sections* XI *and* XII, *Regulation* I, 1812.—*Paſſed on the* 29*th of Auguſt*, 1812.

XVIII.

A REGULATION *for explaining Section* II, *Regulation* V, 1812, *and reſcinding Sections* III *and* IV, *Regulation* XLIV, 1793, *and Sections* III *and* IV, *Regulation* L, 1795; *and enacting other rules in lieu thereof.—Paſſed on the* 19*th of September*, 1812.

XIX.

A REGULATION *for making certain alterations in the rules before eſtabliſhed for the collection of the government cuſtoms and town duties.—Paſſed on the* 17*th of October*, 1812.

XX.

A REGULATION *for modifying ſome of the proviſions contained* *in the exiſting regulations reſpecting the regiſtry of deeds, and for eſtabliſhing a regiſter of engagements for the delivery of indigo.—Paſſed on the 17th of October*, 1812.

XXI.

REGULATION *for reſcinding certain parts of Regulation* I, 1811.—*Paſſed on the 31ſt of October*, 1812.

XXII.

REGULATION *for exempting certain territories and jaguers, ſituated on the borders of the zillah of Bundlecund, from the operation of the general regulations, and for annexing to that zillah, certain lands formerly compoſing a part of the jaguer of the killadar of Calenger.—Paſſed on the 5th of December* 1812.

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A. D. 1812. REGULATION I.

A REGULATION *for modifying certain parts of Regulation* IX, 1810; *for impoſing a duty on horſes, imported by ſea, with an exception to horſes imported from Europe; and for prohibiting the exportation of Woollens from Bengal to China.*—PASSED *by the Governor General in Council, on the* 13*th January* 1812; *correſponding with the* 1*ſt Maug* 1218 *Bengal era; the* 15*th Maug* 1219 *Fuſſily; the* 2*d Maug* 1219 *Willaity; the* 14*th Maug Buddee Sumbut* 1868; *and the* 27*th Zeheza* 1226 *Higeree.*

WHEREAS the rates of duties fixed by Regulation IX, 1810, have in ſome inſtances been found liable to objection; And whereas it has been thought adviſable to impoſe a duty on horſes imported by ſea, with an exception to horſes imported from Europe; And whereas it has appeared expedient to explain and amend parts of the aforeſaid regulation; And alſo to prevent the exportation of woollens from Bengal to China; the Governor General in Council has been pleaſed to enact the following rules, to have effect from the date of their publication. Preamble.

II.

Modification of Section V, Regulation IX, 1810.

II. Section V, Regulation IX, 1810, preſcribes, that the cuſtom houſes for the collection of the Government cuſtoms under that regulation, ſhall be fixed in the cities and towns therein mentioned: As local circumſtances however in ſome inſtances may render it expedient, that the cuſtom houſes ſhould be fixed without the limits of the cities or towns in queſtion, it is hereby declared, that a cuſtom houſe may be fixed by order of the Governor General in Council at any place near the cities or towns referred to, not exceeding one coſs or two miles from their reſpective boundaries.

Modification of the rates of duty preſcribed by Section XII, Regulation IX, 1810; and additions to the enumeration of goods therein ſubjected to duty.

III. Duties ſhall be levied at the following rates on cotton in its cleaned and uncleaned ſtate reſpectively:

In its cleaned ſtate (as at preſent), twelve annas per maund of ninety ſix Calcutta ſicca weight.

In its uncleaned ſtate, or in the pod; four annas per maund of ninety ſix Calcutta ſicca weight.

The produce of the Seemul tree (Bombax), not intended to be comprehended.

IV. The above is not intended to comprehend the produce of the Seemul tree (Bombax) which is not to be ſubject to any duty.

Raw ſilk with certain exceptions ſubject to the duty of 7½ per cent ad valorem.

V. With the exception of raw filature ſilk, and Bengal wound ſilk (the duties of which ſhall be levied in the mode already eſtabliſhed), a duty ſhall be levied on all other ſorts of raw ſilk at the rate of ſeven and a half per cent ad valorem. This rule of courſe ſuperſedes the proviſion contained in Clauſe Firſt, Section XII, Regulation IX, 1810, reſpecting the duty on the ſorts of raw ſilk denominated tuſhah and chaſſum.

Tin and tutenague ſubject to a duty of ten per cent ad valorem.

VI. A duty ſhall be levied on tin and tutenague, at the rate of ten per cent ad valorem on importation, inſtead of at the fixed valuation ſpecified in Section XII, Regulation IX, 1810.

Copper and braſs, wrought or unwrought,

VII. A duty ſhall be levied on the importation by ſea of copper and braſs, whether in a wrought or unwrought ſtate, at the rate of ten per cent ad valorem. A duty ſhall alſo be levied at the ſame rate, on the importation by land, of copper and braſs, in an unwrought ſtate.

ſubject to a duty of ten per cent ad valorem.

VIII. Copper and braſs imported from Napaul, whether wrought or unwrought, will continue ſubject to the rate of duty already eſtabliſhed, viz. two and a half per cent, to be levied however ad valorem, inſtead of at the fixed valuation ſpecified in Section XII, Regulation IX, 1810.

Rule as to copper and braſs imported from Napaul.

IX. Tobacco imported by ſea into the port of Chittagong, ſhall be ſubject to a duty of ten per cent ad valorem at the cuſtom houſe at Chittagong.

Tobacco imported at Chittagong, ſubject to a duty of ten per cent ad valorem.

X. In modification of the rule contained in Clauſe Second, Section XIII, Regulation IX, 1810, it is hereby declared, that horſes and mares, imported by ſea into the ports of Calcutta, Chittagong, or Balaſore, with the exception of horſes and mares, imported from Europe, ſhall be ſubject, after the expiration of the month of April 1812, to the following duties:—

Horſes and mares imported, declared ſubject to pay duties.

XI. A horſe or mare under fourteen hands two inches in height, ſhall be ſubject to a duty of four hundred rupees on importation. A horſe of fourteen hands two inches in height, or exceeding that height, ſhall be ſubject to a duty of two hundred rupees on importation.

Rates of duties.

XII. A mare of fourteen hands two inches in height, or exceeding that height, ſhall be allowed to be imported without the payment of any duty or fee.

Mares of a certain height not to pay duty.

XIII. To prevent the evaſion of the duties on horſes imported by land from Ganjam through the diſtrict of Cuttack, it is hereby declared, that horſes or mares, which may have been imported by ſea into the territories ſubject to the Madras or Bombay Govern-

Horſes imported by land into Cuttack ſubject to duties.

Governments, ſhall be ſubjected to the aforeſaid duties on their importation from Ganjam, and other places to the ſouthweſt, into the Cuttack province to the northward of the Kutjoory or Mohanuddy river.

Such duties to be collected by the collector of revenue at Cuttack.

XIV. The duty payable on horſes ſo imported, ſhall be levied by the collector of the land revenue at Cuttack, who will grant the rowannahs in the preſcribed form.

No horſes imported by ſea (with certain exceptions) to be exempt from duties without the ſpecial orders of government.

XV. With an exception to horſes the property of military or civil officers returning to Bengal from public duty, which the cuſtom maſters are to paſs at their own diſcretion, and excepting horſes imported from Europe, no horſes or mares imported by ſea, ſhall be exempt from the payment of the preſcribed duty, without the ſpecial orders of the Governor General in Council.

Horſes imported into Cuttack by land, and not intended for merchandize may be exempted at the diſcretion of the collector, if in the actual uſe of the owner.

XVI. Horſes imported by land into the Cuttack province, may be paſſed at the diſcretion of the collector of Cuttack, provided they ſhall not be intended for merchandize, and ſhall be in the actual uſe and poſſeſſion of the owner. But it is not intended by this clauſe to authorize the collector to exempt from the tax the horſes of individuals, which may be coming round for them from Ganjam and other places to the ſouthweſt, unleſs they ſhall at the time of tranſit be in the actual uſe of the owner.

Explanation of Section XIV, Regulation IX, 1810, as to articles belonging to private individuals not in actual uſe.

XVII. In explanation of the rule preſcribed in Section XIV, Regulation IX, 1810, it is hereby declared, that no articles belonging to private individuals ſhall be exempt from the payment of the eſtabliſhed duties excepting ſecond hand articles or articles actually in the poſſeſſion and uſe of the owners; and ſuch articles ſhall be paſſed or otherwiſe, at the diſcretion of the collector.

[illegible]
[illegible]
13 by Borders six months after

Examination and appraiſing of goods may be aſſigned to the Company's examiner and appraiſer.

XVIII. In explanation of Clauſe Firſt, Section XXIII, Regulation IX, 1810, it is hereby declared, that the duty of examining and appraiſing the goods referred to in that rule, may be aſſigned by the cuſtom maſter for the town of Calcutta, to the Company's examiner and appraiſer of piece goods.

How Portugueſe and China coins ſhall be valued in exchange.

XIX. An error having been made in the rates of exchange of the Portugueſe and China coins; the following rates are to be ſubſtituted in lieu of thoſe ſpecified in Section LX, Regulation IX, 1810.

Countries.	*Coins.*	*Rate of Exchange.*
Portugal and Madeira,	Milrea,	at 2¾ Sicca Rupees,
China,	Tale,	at 3⅓ Ditto.

No drawback allowed on the exportation of goods imported from the interior of the country, unleſs the application be accompanied with the rowannahs.

XX. In explanation of the proviſions contained in Regulation IX, 1810; it is hereby declared, that no drawback ſhall be allowed on the exportation of goods imported from the interior of the country, unleſs the applications for them be accompanied with the rowannah or rowannahs, covering the goods intended to be exported.

Drawback to be allowed on goods imported by ſea, whether expreſsly intended for re-exportation or not.

XXI. In modification of the rule contained in Section LXXV, of the abovementioned regulation, it is hereby declared, that the eſtabliſhed drawback ſhall be allowed on goods imported by ſea, whether the goods intended to be re-exported, ſhall have been imported expreſsly for that purpoſe or otherwiſe.

Goods to be examined by the neareſt choky darogah who ſhall endorſe the rowannah.

XXII. With a view to prevent the evaſion of the duties by a rowannah being uſed to cover a ſecond or more diſpatches of goods; it is hereby declared, that all articles liable to the payment of a cuſtom duty, when imported into a town, are to be taken to the neareſt choky darogah in order that they may be examined; and it ſhall be the duty of the darogah to certify on the back of the rowannahs the date on which the goods may paſs his choky into the town. Without ſuch certificate, goods are not to be permitted to be paſſed.

The owners of goods exported

XXIII. With a view alſo to prevent a rowannah uſed for

goods

from any town which they have entered under a rowannah, ſhall cauſe the rowannahs to be endorſed by the collector.

goods imported into one town from being again uſed for covering a diſpatch of other goods of a ſimilar nature into any other town, it is hereby declared, that on goods being exported from any town into which they may have entered under cover of a rowannah, the owners of them muſt cauſe their rowannahs to be endorſed by the collector as having paſſed out of the town.

Goods found within the line of chokies ſhall be liable to double duties &c if the rowannahs are not ſo endorſed.

XXIV. In caſe any goods ſhall be diſcovered within the line of chokies, they ſhall, notwithſtanding they may be accompanied with a rowannah, be chargeable with double duties, or be liable to confiſcation, unleſs the rowannahs are endorſed in the manner preſcribed in the above two ſections.

All piece goods intended for exportation by ſea, and for which the rowannahs may not be produced by the exporters, ſhall be ſubject to the duties ſpecified in this ſection.

XXV. Under Clauſe Second, Section XII, Regulation IX, 1810, a duty of two and a half per cent is leviable on articles, the produce or manufacture of the dominions of His Excellency the Nawaub Vizier, on their exportation by ſea: There being reaſon however to believe, that on the exportation by ſea of piece goods, manufactured in the Vizier's territories, the payment of the preſcribed duty has been evaded by the exporters withholding their rowannahs, and declaring that the goods are the manufacture of the territories of the Britiſh Government, it is hereby declared, that all piece goods which may be intended for exportation by ſea, and for which the rowannahs may not be produced by the exporters, ſhall be deemed and taken to be the manufacture of the Vizier's dominions, and ſhall be ſubject to the payment of the duty of two and a half per cent, eſtabliſhed on the exportation of all piece goods of that deſcription, if they be exported on Britiſh bottoms, and of ſeven and a half per cent if they be exported on foreign bottoms.

Woollens not to be exported from Bengal to China.

XXVI. Woollens, whether the manufacture of Europe, India, or any other country, ſhall not be ſhipped for exportation from Bengal to China, on any account whatever.

* * *

A. D. 1812. REGULATION II.

A REGULATION *for levying a duty on the coinage of ſilver bullion and on the recoinage of rupees and other coins, with certain exceptions, at the mints eſtabliſhed at Calcutta, Furruckabad, and Benares; for defining the weight and ſtandard of the Benares rupee; for modifying the rates of duty at preſent levied on the coinage of gold bullion in the mint of Calcutta; and alſo for eſtabliſhing certain rules for the conduct of the buſineſs of the above-mentioned mints reſpectively.*—PASSED *by the Governor General in Council, on the* 21*ſt March* 1812*; correſponding with the* 10*th Chyte* 1218 *Bengal era; the* 23*d Chyte* 1219 *Fuſſily; the* 11*th Chyte* 1219 *Willaity; the* 9*th Chyte* 1869 *Sumbut; and the* 7*th Rubbi-ul Awul* 1227 *Higeree.*

WHEREAS it has been deemed adviſable to eſtabliſh a duty on the coinage of ſilver bullion, and on the recoinage of rupees and other coins, with certain exceptions, at the mints eſtabliſhed at Calcutta, Furruckabad, and Benares, for the purpoſe of defraying the expenſe to which government is ſubject on Preamble.

on that account, and to modify the duty at preſent levied on the coinage of gold bullion at the Calcutta mint; and whereas it is neceſſary to define the weight and ſtandard of the Benares rupee; and whereas it has been further thought expedient to preſcribe additional rules for the conduct of the buſineſs of the above mints reſpectively; the following regulation has been paſſed to be in force, except in the inſtances hereafter ſpecified, from the period of its promulgation.

Sections IV, V, & VI, Regulation XXXV, 1793, modified.

II. *Firſt.* Sections IV, V, and VI, Regulation XXXV, 1793, ſhall be ſubject to the following modifications.

All ſilver bullion or coin (not ſtruck at the Calcutta mint) delivered at the mint for coinage, to pay a duty of 2 per cent.

Second. From and after the firſt day of May 1812, all ſilver bullion or coin, not being rupees ſtruck at the Calcutta mint, which may be delivered into that mint for coinage, ſhall be ſubject to a duty at the rate of two per cent on the produce of ſuch bullion or coin in ſicca rupees of the Calcutta weight and ſtandard, and the amount of the ſaid duty ſhall be accordingly deducted from the return to be made to the proprietor.

If coined into halves and quarters of a rupee, to pay an additional duty of one per cent.

Third. Individuals, who may be deſirous of it, ſhall be at liberty to have their bullion or coin converted into halves or quarters of a rupee, on condition of paying a duty at the rate of one per cent, in addition to the duty of two per cent eſtabliſhed by the preceding clauſe.

Calcutta ſiccas ſo coined to pay only the laſt mentioned duty.

Fourth. Should the coin however brought to the mint for that purpoſe, conſiſt of Calcutta ſiccas, the proprietors ſhall only be ſubject to the additional duty of one per cent, and not to the duty payable under the ſecond clauſe of this ſection, on all other coin and bullion.

All ſilver bullion or coin of inferior ſtandard to pay 12

Fifth. All ſilver bullion and coin, being inferior to the Calcutta ſicca ſtandard, which may be brought to the mint for coinage annas per cent for the expenſe of refining.

coinage ſhall be refined to that ſtandard; and the proprietors ſhall be ſubject, in addition to the duties eſtabliſhed by the preceding ſections, to a charge at the rate of twelve annas per cent on account of the loſs and expence of refining, exclusive of the eſtabliſhed deduction on account of inferiority of ſtandard.

Rules as to receipts and certificates to be granted to the proprietors of bullion, &c. and the payment thereof.

Sixth. On delivery of the ſilver bullion or coin into the mint, the mint maſter ſhall grant to the proprietor a receipt, entitling him to a certificate from the aſſay maſter, for the net produce of ſuch bullion or coin agreeably to the table, ſubjoined to this regulation, and marked No. I, payable at the general treaſury at Calcutta, at the expiration of ten days if the produce be deliverable in whole rupees; and at the expiration of twenty days, if the produce be deliverable in halves or quarters of a rupee from the date of ſuch certificate. In the latter caſe, the additional duty eſtabliſhed by Clauſe Third, Section II, of this Regulation, is of courſe to be deducted from the net produce.

Rules in Regulation XXXV, 1793, declaring marked rupees not a legal tender reſcinded, and ſuch rupees to be received if not more than 6 annas per cent deficient in weight.

III. Such part of Section XIII, Regulation XXXV, 1793, as declares that rupees and the halves, or quarters of a rupee, to which any mark may have been affixed, ſhall not be conſidered a legal tender of payment in any public or private tranſaction, is hereby reſcinded: Such marked rupees, halves, and quarters being of the nineteenth ſun, ſhall be in future receivable in all public and private tranſactions; provided that, when ſeparately weighed, the deficiency in point of weight, be not more than ſix annas per cent or ſix-ſixteenths of a rupee in one hundred rupees.

Section XXVI, Regulation XXXV, 1793, reſcinded.

IV. Section XXVI, Regulation XXXV, 1793, reſpecting the order, in which bullion and coin received into the Calcutta mint, is to be aſſayed, refined, and coined, is hereby reſcinded.

Section XXIV, Regulation XXXV, 1793, reſcinded.

V. *Firſt.* Section XXIV, Regulation XXXV, 1793, is hereby reſcinded.

A duty of two rupees and eight annas per cent to be levied on all gold bullion or coin except those ſpecified in Section XXV, Regulation XXXV, 1793.

Second. A duty ſhall be levied at the rate of two rupees and eight annas per cent at the Calcutta mint, on the produce of all gold bullion and on all gold coin, with the exception of the mohurs, half mohurs, and quarter mohurs, mentioned in Section XXV, Regulation XXXV, 1793, on the recoinage of which no duty ſhall be levied.

Rule as to the return to be made for gold bullion &c. equal to or above the Calcutta ſtandard.

Third. For all gold bullion or coin, equal to or above Calcutta ſtandard, which may be brought to the mint for coinage, a number of the nineteenth ſun gold mohurs, or of the halves and quarters of ſuch mohurs, equal in weight to the gold of the eſtabliſhed ſtandard contained in ſuch bullion, ſhall be returned to the proprietor, after deducting the duty mentioned in the preceding clauſe.

Rules as to gold bullion or coin being under mohur ſtandard.

Fourth. All gold bullion or gold coin, being under mohur ſtandard, which may be delivered into the Calcutta mint for coinage, ſhall be refined to the eſtabliſhed gold mohur ſtandard; and n addition to the duty of two rupees eight annas per cent fixed by Clauſe Second of this ſection of the preſent regulation, all ſuch ullion or coin ſhall be ſubject to a charge on account of the loſs nd expenſe of refining agreeably to Table No. II, in addition to he eſtabliſhed deduction on account of the inferiority of ſtandard.

Rules as to receipts and certificates to be granted to the proprietors of bullion and payment of the amount.

Fifth. The mint maſter on the delivery of gold bullion or coin into the mint of Calcutta for coinage, ſhall grant to the proprietor a receipt, entitling him to a certificate from the aſſay maſter for the net produce of ſuch bullion or coin, according to the Table noticed in the preceding clauſe, payable at the general treaſury at Calcutta, at the expiration of ten days from the date of ſuch certificate.

Proprietors of bullion diſſatisfied with the aſſay maſter's report may withdraw it without the payment of duties.

VI. The proprietor of any gold or ſilver bullion or coin, brought to the Calcutta mint for coinage, who may be diſſatisfied with the aſſay maſter's report of its value, ſhall be at liberty to withdraw ſuch bullion or coin without being ſubject to the duties on coinage eſtabliſhed by the preſent regulation.

VII. Section XXXVIII, Regulation XLV, 1803, reſpecting the order in which bullion and coin received into the mint at Furruckabad, ſhall be aſſayed, refined, and coined, is hereby reſcinded.

Section XXXVIII, Regulation XLV, 1803, reſcinded.

VIII. *Firſt.* From and after the firſt day of May 1812, all ſilver bullion or coin, not being rupees ſtruck at the mint of Furruckabad which may be brought to that mint for coinage, ſhall be ſubject to a duty at the rate of two per cent on the produce of ſuch bullion or coin in ſicca rupees of the Lucknow weight and ſtandard; and the amount of the ſaid duty ſhall be accordingly deducted from the return to be made to the proprietor.

Silver bullion or coin not being ſtruck at Furruckabad, liable to a duty of 2 per cent on coinage there.

Second. Individuals, who may be deſirous of it, ſhall be at liberty to have their bullion or coin converted into halves or quarters of a rupee, on condition of paying a duty of one per cent in addition to the duty of two per cent eſtabliſhed by the preceding clauſe. Should the coin however brought to the mint for that purpoſe conſiſt of Furruckabad ſicca rupees, the proprietors ſhall only be ſubject to the additional duty of one per cent, and not the duty of two per cent payable under the preceding clauſe, on all other coin and bullion.

Third. All ſilver bullion and coin, being inferior to the Lucknow ſicca ſtandard, as eſtabliſhed by Section II, Regulation III, 1806, ſhall be refined to that ſtandard; and the proprietors ſhall be ſubject, in addition to the duties eſtabliſhed by the preceding ſection, to a charge of twelve annas per cent on account of the loſs and expenſe of refining, excluſive of the eſtabliſhed deduction on account of inferiority of ſtandard.

Rules as to bullion &c. of an inferior ſtandard.

Fourth.

Rules as to receipts and certificates to be delivered to the proprietors, and the diſcharge thereof.

Fourth. On delivery of the bullion or coin into the mint, the mint maſter ſhall grant to the proprietor, a receipt, entitling him to a certificate from the aſſay maſter for the net produce of ſuch bullion or coin agreeably to the Table ſubjoined to this regulation, and marked No. 3, payable at the treaſury of the collector of Furruckabad, at the expiration of fifteen days, if the produce be deliverable in whole rupees; and at the expiration of twenty-five days, if the produce be deliverable in halves or quarters of a rupee from the date of ſuch certificate. In caſes in which the produce may be deliverable in halves or quarters of a rupee, the additional duty eſtabliſhed by Clauſe Second, Section VIII, of this regulation, is of courſe to be deducted from the amount payable to the proprietor.

Perſons diſſatiſfied with the aſſay maſter's report, may withdraw the bullion free of duty.

Fifth. The proprietor of any bullion or coin brought to the Furruckabad mint for coinage, who may be diſſatiſfied with the aſſay maſter's report of its value, ſhall be at liberty to withdraw ſuch bullion or coin, without being ſubject to the duties on coinage eſtabliſhed by the preſent regulation.

The magiſtrate of Furruckabad to viſit the mint monthly, and to tranſmit ſpecimens of the coinage.

IX. *Firſt.* It ſhall be the duty of the magiſtrate of Furruckabad, to viſit the mint monthly, and to make ſuch enquiries as he ſhall conſider neceſſary, to ſatisfy himſelf of the manner in which the buſineſs of the mint is conducted, reporting the reſult of his enquiries, in caſes appearing to him to require it, to the Governor General in Council. The magiſtrate ſhall at the ſame time take indiſcriminately out of the heaps of coin at the foot of the ſtriking preſſes, twenty pieces of each deſcription of coin which may have been ſtruck off, and tranſmit ten of each to the ſecretary to Government in the public department, for the purpoſe of being forwarded to the Honorable the Court of Directors, and the other ten to the aſſay maſter at Calcutta, in order that he may cauſe the coin to be examined and aſſayed. If the ſpecimens of coin ſo tranſmitted ſhall be found not to be of the proper ſtandard, or if the coin ſhall be defective in workmanſhip, or in any other reſpect, the aſſay maſter ſhall report the circumſtance to the Governor General in Council for his orders.

Second. The foregoing rule ſhall be conſidered to ſuperſede the proviſion contained in Section XI, Regulation XLV, 1803.

Section XI, Regulation XLV, 1803, declared ſuperſeded.

X. The ſilver coin now current in the province of Benares, under the denomination of the muchleedar rupee, commonly called the Benares rupee, ſhall continue to be the eſtabliſhed coin of that province; and ſhall be received as ſuch in all public and private tranſactions.

The Benares rupees to be the eſtabliſhed coin of that province.

XI. The Benares rupee ſhall continue of the following weight and ſtandard, and halves and quarters of a rupee ſhall be coined of the ſame ſtandard and proportionate weight.

Its weight and ſtandard.

	Troy weight, grains	175
	Touch, or pure ſilver	168,875
	Alloy - - -	6,125
Aſſay	Touch, or parts of pure ſilver in 100	96,5
	Alloy - - -	3'5

XII. *Firſt.* The Benares rupee ſhall hereafter be ſtruck of the ſame ſize and form as the nineteenth ſun ſicca rupee ſtruck in the mint of Calcutta, but ſhall bear the ſame impreſſion as is now in uſe in Benares.

Size, form, and impreſſion of the Benares Rupee.

Second. The halves and quarters of a rupee ſhall be proportionably leſs than the rupee, according to their reſpective value, and ſhall have the ſame impreſſion as the rupee.

And of halves and quarters.

XIII. To guard as far as poſſible, againſt counterfeiting, clipping, drilling, filing, defacing or debaſing the coin, the edges of it ſhall be milled, and the dies ſhall be made of the ſame ſize as the coin, ſo that the whole of the impreſſion may appear on the ſurface of the coin.

The dies to be cut in the Calcutta Mint, and returned when broken or unſerviceable.

XIV. The dies for ſtriking the ſilver coin at the mint of Benares ſhall be cut in the mint at Calcutta, and ſhall be ſent by the mint maſter at Calcutta to the mint maſter at Benares. When the dies are broken or no longer ſerviceable, they ſhall be returned to the Calcutta mint.

The conduct of the Benares mint committed to a mint, and aſſay-maſter, ſubject to the authority of the Board of Commiſſioners, and the native officers ſubject to the exiſting regulations for native ſervants.

XV. The immediate conduct of the mint at Benares ſhall be committed to an officer, to be denominated the mint and aſſay maſter, with an adequate eſtabliſhment of native officers. The mint and aſſay maſter ſhall be ſubject to the authority of the Board of Commiſſioners for the Ceded and Conquered Provinces, and the native officers ſhall be ſubject to all the rules of the exiſting regulations in common with all other natives in the ſervice of Government.

The mint and aſſay-maſter and native officers amenable to the dewanny adawlut of the city of Benares.

XVI. The mint and aſſay maſter and the native officers of the mint ſhall be amenable to the Dewanny Adawlut of the city of Benares, and ſhall be liable to be ſued for damages for any breach of this regulation, or of any other regulations, which may be enacted reſpecting the coin.

The Magiſtrate to viſit the mint monthly and tranſmit ſpecimens of the coinage.

XVII. It ſhall be the duty of the magiſtrate of the city of Benares to viſit the mint monthly, and to make ſuch enquiries as he ſhall conſider neceſſary to ſatisfy himſelf of the manner in which the buſineſs of the mint is conducted, reporting the reſult of his enquiries in caſes appearing to him to require it, to the Governor General in Council. The magiſtrate ſhall at the ſame time take indiſcriminately out of the heaps of coin, at the foot of the ſtriking preſſes, twenty pieces of each deſcription of coin, which may have been ſtruck off, and tranſmit ten of each to the Secretary to Government in the Public Department, for the purpoſe of being forwarded to the Honorable the Court of Directors, and the other ten to the aſſay maſter at Calcutta, in order that he may cauſe the coin to be examined and aſſayed. If the ſpecimens of coin ſo tranſmitted ſhall be found not to be of proper ſtandard, or if the coin ſhall be defective in workmanſhip, or in any other reſpect, the aſſay maſter ſhall report the circumſtance to the Governor General in Council for his orders.

Private marks to be put on the dies.

XVIII. The mint maſter at Calcutta ſhall cauſe a private mark to be put upon all the dies, which may be prepared for the mint at Benares, but in ſuch a manner as not to be diſtinguiſhable by the naked eye, or by perſons unacquainted with it. Theſe marks ſhall be varied as often as the mint maſter at Calcutta ſhall judge proper on new dies being made, and he ſhall keep a regiſter of them, in order that he may be enabled to diſcover any counterfeit coin which may hereafter be circulated.

Perſons charged with counterfeiting, clipping, &c. to be committed for trial to the criminal courts.

XIX. Perſons charged with counterfeiting, clipping, filing, drilling, defacing, or debaſing the ſilver coin of Benares, ſhall be committed for trial to the criminal courts, and ſhall be puniſhed as the law may direct.

Benares rupees or their parts to be a legal tender there.

XX. All Benares rupees of the preſcribed weight and ſtandard, or the halves and quarters of ſuch rupees according to the eſtabliſhed value, ſhall be conſidered to be a legal tender of payment in all public and private tranſactions throughout the province of Benares. If a native officer of any public treaſury ſhall refuſe to receive in payment any ſuch rupees, or the halves or quarters of ſuch rupees according to the eſtabliſhed value, the offender ſhall be liable to be diſmiſſed from his office, and ſhould the circumſtances of the caſe appear to require it, to be declared incapable of again ſerving Government in any public capacity.

Penalty for native officers refuſing to receive them.

Rupees to be conſidered as of ſtandard weight, if not deficient more than ſix

XXI. All Benares rupees which ſhall not have loſt individually by wear, a greater proportion of the full weight than ſix annas per annas per cent.

per cent, or ſix-ſixteenths of a rupee in one hundred rupees, ſhall be conſidered as of ſtandard weight, and ſhall be received as ſuch in all public and private tranſactions.

How light Benares rupees may be received.

XXII. *Firſt.* Benares rupees which may be deficient in weight in a greater amount than ſix annas per cent, ſhall be received conformably to the following rule.

To be received weight for weight but ſuch light rupees not to be again diſburſed, but recoined.

Second. For one hundred Benares ſicca weight of ſuch light rupees, the payer ſhall receive credit for one hundred Benares rupees. The light rupees thus received at the public treaſury, ſhall not be again diſburſed, but ſhall be invariably ſent to the mint at Benares to be recoined.

The rules in the preceding ſection applicable to halves and quarters of rupees.

XXIII. The rules contained in the preceding Section of this Regulation, ſhall be conſidered equally applicable to the halves and quarters of a rupee.

The collector of Benares to be furniſhed with ſtampt metal weights.

XXIV. The mint maſter at Calcutta ſhall furniſh the collector of Benares, with ſtampt metal weights of fifty Benares ſicca weight each, or ſuch other weights as may be required by him; all receipts and payments at the public treaſury ſhall be regulated according to ſuch ſtandard weight.

Regiſters to be kept at the Benares mint.

XXV. The following regiſters ſhall be kept open at the mint of Benares for public information, viz. A regiſter of unaſſayed ſilver bullion delivered into the mint, ſpecifying the quantity delivered, the date on which it was received, and name of the proprietor. A regiſter of ſilver bullion aſſayed and coined, ſpecifying the date on which it was aſſayed, the date on which it was refined, the name of the proprietor, and the produce in Benares rupees, together with the date of the certificate granted for the produce.

Engliſh copies to be ſent when

XXVI. Engliſh copies of the regiſters preſcribed in the foregoing

going Section, ſhall be ſent when required to the Board of Commiſſioners.

required, to the Board of Commiſſioners.

XXVII. All duties, fees, perquiſites, or other impoſts hitherto levied by Government or by individuals, under the names of Ruſſoom, Duſtooree, Salamee, Nuzurannah, or any other denomination, ſhall immediately ceaſe and determine, and the native officers and artificers who have been hitherto permitted to levy ſuch fees, or perquiſites, ſhall hereafter receive ſuch perſonal ſalaries, or be remunerated for their labour in ſuch manner as Government may direct.

All duties, fees, &c. hitherto levied at the Benares mint, to be diſcontinued.

XXVIII. Every native officer or artificer, or other perſon employed in the mint at Benares, who may be convicted in a court of judicature of receiving any fee, gratuity, or perquiſite whatever, in virtue of his office, ſhall be adjudged to make reſtitution of the fee, or perquiſite ſo received by him, with double damages to the party from whom it may have been received, and a fine according to the circumſtances of the caſe, not exceeding however ſix months ſalary. Perſons offending in the manner above noticed, will likewiſe be of courſe liable to be diſmiſſed from their offices, and ſhould the circumſtances of the caſe appear to require it, to be declared incapable of again ſerving Government in any public capacity.

Penalties preſcribed for native officers &c. convicted of receiving any ſuch in future.

XXIX. *Firſt.* From and after the firſt day of May 1812, all ſilver bullion or coin, not being rupees ſtruck at the mint of Benares, which may be brought to that mint for coinage, ſhall be ſubject to a duty at the rate of two per cent on the produce of ſuch bullion or coin in ſicca rupees of the Benares weight and ſtandard; and the amount of the ſaid duty ſhall be accordingly deducted from the return to be made to the proprietor.

A duty of 2 per cent to be levied on all ſilver bullion or coin not being Benares rupees, brought to the mint to be coined.

Second. Individuals, who may be deſirous of it, ſhall be at liberty to have their bullion or coin converted into halves or quarters

An additional duty of 1 per cent for halves and quarters of rupees.

ters of a rupee, on condition of paying a duty of one per cent in addition to the duty of two per cent eſtabliſhed by the preceding clauſe.

Benares rupees recoined into halves and quarters only to pay the laſt mentioned duty of 1 per cent.

Third. Should the coin however brought to the mint for that purpoſe conſiſt of Benares rupees, the proprietors ſhall only be ſubject to the additional duty of one per cent, and not to the duty of two per cent payable under the firſt clauſe of this ſection on all other coin and bullion.

Rules as to bullion of inferior ſtandard.

XXX. All ſilver bullion and coin being inferior to the Benares ſicca ſtandard, ſhall be refined to that ſtandard; and the proprietors ſhall be ſubject, in addition to the duties eſtabliſhed by the preceding ſection, to a charge of twelve annas per cent, on account of the loſs and expenſe of refining, excluſive of the eſtabliſhed deduction on account of inferiority of ſtandard.

Rules as to receipts and certificates and the payment of them.

XXXI. On delivery of the bullion or coin into the mint, the mint maſter ſhall grant to the proprietor a receipt, entitling him to a certificate for the net produce of ſuch bullion or coin, agreeably to the Table ſubjoined to this regulation, and marked No. 4, payable at the treaſury of the collector of Benares, at the expiration of fifteen days, if the produce be deliverable in whole rupees; and at the expiration of twenty-five days, if the produce be deliverable in halves or quarters of a rupee, from the date of ſuch certificate. In caſes in which the produce may be deliverable in halves or quarters of a rupee, the additional duty eſtabliſhed by Clauſe Second, Section VIII, of this regulation, is of courſe to be deducted from the amount payable to the proprietor.

Perſons diſſatiſfied with the aſſay-maſter's report, may withdraw their bullion, free of duty.

XXXII. The proprietor of any bullion or coin brought to the mint at Benares for coinage, who may be diſſatisfied with the aſſay maſter's report of its value, ſhall be at liberty to withdraw ſuch bullion or coin, without being ſubject to the duties on coinage eſtabliſhed by the preſent regulation.

XXXIII. It is hereby declared, that the manufacturers of gold and ſilver wire or leaf, and of flattened gold and ſilver, ſhall not be ſubject to any control on the part of the mint and aſſay maſter, notwithſtanding any uſage which may have hitherto exiſted to the contrary at the mint at Benares.

Manufacturers of gold or ſilver wire, &c ſhall not be ſubject to any control on the part of the mint and aſſay maſter.

TABLE

No. I.

TABLE of the PRODUCE of SILVER BULLION in the CALCUTTA MINT, commencing the 1ſt of May 1812.

Sicca Weight.	Assay compared with English Standard.	Assay compared with Sicca Standard.	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce Sa. Rs.	Duty of 2 per Cent on Coinage.	Nett Produce Sa. Rs.
	Dwts.	pr. Cnt.						
100.	13 Br.	Sa. Std.	0	0	0	100.	2.	98.000
—	12¾	.106	.224	0	.330	99.670	1.993	97.677
—	12½	.213	.297	0	.510	99.490	1.990	97.500
—	12¼	.319	.371	0	.690	99.310	1.986	97.324
—	12	.425	.445	.75	1.620	98.380	1.967	96.413
—	11¾	.532	.518	.75	1.800	98 200	1.964	96 236
—	11½	.638	.592	.75	1.980	98 020	1.960	96.060
—	11¼	.745	.665	.75	2.160	97.840	1 956	95.884
—	11	.851	.744	.75	2.345	97.655	1.953	95.702
—	10¾	.957	.823	.75	2.530	97.470	1.949	95.521
—	10½	1.064	.901	.75	2.715	97.285	1.945	95.340
—	10¼	1.170	.980	.75	2.900	97.100	1.942	95.158
—	10	1.277	1.058	.75	3.085	96.915	1.938	94 977
—	9¾	1.383	1.061	.75	3.194	96.806	1.936	94.870
—	9½	1.489	1.064	.75	3.303	96.697	1.934	94 763
—	9¼	1.596	1.068	.75	3.414	96.586	1.931	94.655
—	9	1.702	1.072	.75	3.524	96.476	1.929	94.547
—	8¾	1.809	1.075	.75	3.634	96.366	1 927	94.439
—	8½	1.915	1.078	.75	3.743	96.257	1.925	94 332
—	8¼	2.021	1.082	.75	3.853	96.147	1.923	94.224
—	8	2.128	1.088	.75	3.966	96.034	1.920	94.114
—	7¾	2.234	1.094	.75	4.078	95.922	1.918	94.004
—	7½	2.341	1.100	.75	4.191	95.809	1.916	93 893
—	7¼	2.447	1.106	.75	4.303	95.697	1.914	93.783
—	7	2.553	1.112	.75	4.415	95.585	1.911	93.674
—	6¾	2.660	1.118	.75	4.528	95.472	1.909	93.563
—	6½	2.766	1.125	.75	4.641	95.359	1.907	93 452
—	6¼	2.873	1.131	.75	4.754	95.246	1 905	93 341
—	6	2.979	1.138	.75	4.867	95.133	1.902	93.231
—	5¾	3.086	1.144	.75	4.980	95.020	1.900	93.120
—	5½	3.192	1.150	.75	5.092	94.908	1.898	93.010
—	5¼	3.298	1.157	.75	5.205	94.795	1.896	92.899
—	5	3.405	1.161	.75	5.316	94.684	1.893	92 791
—	4¾	3.511	1.168	.75	5.429	94.571	1.891	92.680
—	4½	3.618	1.173	.75	5.541	94.459	1 889	92.570
—	4¼	3.724	1.180	.75	5.654	94.346	1.887	92.459
—	4	3.830	1.186	.75	5.766	94.234	1.884	92.350

Sicca Weight.	Assay compared with English Standard.	Assay compared with Sicca Standard	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce Sa. Rs.	Duty of 2 per Cent on Coinage.	Nett Produce Sa. Rs.
	Dwts.	pr. Cnt.						
100.	3¾ Br.	3.937	1.191	.75	5.878	94.122	1.882	92.240
—	3½	4.043	1.196	.75	5.989	94.011	1.880	92.131
—	3¼	4.149	1.202	.75	6.101	93.899	1.878	92.021
—	3	4.255	1.208	.75	6.213	93.787	1.875	91.912
—	2¾	4.362	1.214	.75	6.326	93.674	1.873	91.801
—	2½	4 468	1.220	.75	6.438	93.562	1.871	91.691
—	2¼	4.574	1.226	.75	6.550	93.450	1.869	91.581
—	2	4.681	1.233	.75	6.664	93.336	1.866	91.470
—	1¾	4.787	1.241	.75	6.778	93.222	1.864	91.358
—	1½	4.894	1.250	.75	6.894	93.106	1.862	91.244
—	1¼	5 000	1.259	.75	7.009	92.991	1.859	91.132
—	1	5 106	1.268	.75	7.124	92.876	1.857	91.019
—	¾	5.213	1.277	.75	7.240	92.760	1 855	90.905
—	½	5.319	1.287	.75	7.356	92.644	1 852	90.792
—	¼	5.425	1.297	.75	7.472	92.528	1.850	90.678
—	Eng. Std.	5 532	1.305	.75	7.587	92.413	1.848	90.565
—	¼ W.	5.638	1.313	.75	7.701	92.299	1.846	90.453
—	½	5.745	1.321	.75	7.816	92.184	1.843	90.341
—	¾	5.851	1.330	.75	7.931	92.069	1.841	90.228
—	1	5.957	1.339	.75	8.046	91.954	1.839	90.115
—	1¼	6.064	1.348	.75	8.162	91.838	1.836	90.002
—	1½	6.170	1.357	.75	8.277	91.723	1.834	89.889
—	1¾	6.277	1.364	.75	8 391	91.609	1.832	89.777
—	2	6.383	1.373	.75	8.506	91.494	1.829	89.665
—	2¼	6.489	1.389	.75	8.628	91.372	1.827	89.545
—	2½	6.596	1.404	.75	8.750	91.250	1 825	89.425
—	2¾	6.702	1.420	.75	8.872	91.128	1.822	89.306
—	3	6.809	1.434	.75	8.993	91.007	1.820	89.187
—	3¼	6.915	1.450	.75	9.115	90.885	1.817	89.068
—	3½	7.021	1.466	.75	9.237	90.763	1.815	88.948
—	3¾	7.128	1.481	.75	.9 359	90.641	1.812	88.829
—	4	7.234	1.496	.75	9.480	90.520	1.810	88.710
—	4¼	7.341	1.511	.75	9.602	90.398	1.808	88.590
—	4½	7.447	1.526	.75	9.723	90.277	1.805	88.472
—	4¾	7 553	1.542	.75	9.845	90.155	1.803	88.352
—	5	7.660	1.555	.75	9.963	90.035	1.800	88.235
—	5¼	7.766	1.571	.75	10.087	89.913	1.798	88.115
—	5½	7.873	1.585	.75	10.208	89.792	1.795	87.997
—	5¾	7.979	1.601	.75	10.330	89.670	1.793	87.877
—	6	8.086	1.615	.75	10.45	89.549	1 791	87.758
—	6¼	8.192	1.632	.75	10.574	89.426	1.788	87.638
—	6½	8.298	1.649	.75	10.697	89.303	1.786	87.517
—	6¾	8.405	1.665	.75	10.820	89.180	1.783	87.397

100.

Sicca Weight.	Assay compared with English Standard.	Assay compared with Sicca Standard.	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce Sa. Rs.	Duty of 2 per Cent on Coinage.	Nett Produce Sa. Rs.
	Dwts	pr. Cnt.						
100.	7 W.	8.511	1.683	.75	10.944	89.056	1.781	87.275
—	7¼	8.617	1.700	.75	11.067	88.933	1.778	87.155
—	7½	8.724	1.717	.75	11.191	88.809	1.776	87.033
—	7¾	8.830	1.734	.75	11.314	88.686	1.773	86.913
—	8	8.937	1.751	.75	11.438	88.562	1.771	86.791
—	8¼	9.043	1.775	.75	11.568	88.432	1.768	86.664
—	8½	9.149	1.800	.75	11.699	88.301	1.766	86.535
—	8¾	9.255	1.825	.75	11.830	88.170	1.763	86.407
—	9	9.362	1.850	.75	11.962	88.038	1.760	86.278
—	9¼	9.468	1.875	.75	12.093	87.907	1.758	86.149
—	9½	9.574	1.900	.75	12.224	87.776	1.755	86.021
—	9¾	9.681	1.925	.75	12.356	87.644	1.752	85.892
—	10	9.788	1.950	.75	12.488	87.512	1.750	85.762
—	10¼	9.894	1.979	.75	12.623	87.377	1.747	85.630
—	10½	10.000	2.010	.75	12.760	87.240	1.744	85.496
—	10¾	10 106	2.038	.75	12.894	87.106	1.742	85.364
—	11	10.213	2.068	.75	13.031	86.969	1.739	85.230
—	11¼	10.319	2.098	.75	13.167	86.833	1.736	85.097
—	11½	10.425	2.128	.75	13.303	86.697	1.734	84.963
—	11¾	10.532	2.155	.75	13.437	86.563	1.731	84.832
—	12	10.638	2.183	.75	13.571	86.429	1.728	84.701
—	12¼	10.745	2.211	.75	13.706	86.294	1.725	84.569
—	12½	10.851	2.240	.75	13.841	86.159	1.723	84.436
—	12¾	10.957	2.268	.75	13.975	86.025	1.720	84.305
—	13	11.064	2.296	.75	14.110	85.890	1.717	84.173
—	13¼	11.170	2.324	.75	14.244	85.756	1.715	84.041
—	13½	11.277	2.349	.75	14.376	85.624	1.712	83.912
—	13¾	11.383	2.374	.75	14.507	85.493	1.709	83.784
—	14	11.489	2.398	.75	14.637	85.363	1.707	83.656
—	14¼	11.596	2.422	.75	14.768	85.232	1.704	83.528
—	14½	11.702	2.444	.75	14.896	85.104	1.702	83.402
—	14¾	11.809	2.464	.75	15.023	84.977	1.699	83 278
—	15	11.915	2.485	.75	15.150	84.850	1.697	83.153

No. II.

TABLE of the PRODUCE of GOLD BULLION in the CALCUTTA MINT, commencing the 1ſt of May 1812.

Sicca Weight.	Assay per Cent.	Loss and charges in refining.	Total Reduction.	Standard Quantity.	Assayed Produce Gold Mohurs.	Duty of 2½ per Cent on Coinage.	Nett Produce Gold Mohurs.
100.	¾ Br.	0	0	100¾	94.82352	2.37058	92.45294
—	⅝	0	0	100⅝	94.70588	2.36764	92.33824
—	½	0	0	100½	94.58823	2 36470	92.22353
—	⅜	0	0	100⅜	94.47058	2.36176	92.10382
—	¼	0	0	100¼	94.35294	2.35882	91.99412
—	⅛	0	0	100⅛	94.23529	2.35588	91.87941
—	G. M. ſtd.	0	0	100	94.11764	2 35294	91.76470
—	⅛ W.	0	⅛	99⅞	94 00000	2 35000	91.65000
—	¼	½	¾	99¼	93.41176	2.33529	91.07647
—	⅜	½	⅞	99⅛	93 29411	2 33235	90 96176
—	½	½	1	99	93.17647	2 32941	90 84706
—	⅝	½	1⅛	98⅞	93.05882	2.32647	90.73235
—	¾	½	1¼	98¾	92.94117	2 32352	90.61765
—	⅞	½	1⅜	98⅝	92.82352	2.32058	90 50294
—	1	½	1½	98½	92 70588	2.31764	90.38824
—	1¼	½	1¾	98¼	92 47058	2.31176	90.15882
—	1½	½	2	98	92.23529	2.30588	89.92941
—	1¾	½	2¼	97¾	92 00000	2.30000	89.70000
—	2	½	2½	97½	91.76470	2 29411	89.47059
—	2¼	½	2¾	97¼	91.52941	2.28823	89.24118
—	2½	½	3	97	91.29411	2.28235	89.01176
—	2¾	½	3¼	96¾	91.05882	2.27647	88.78235
—	3	½	3½	96½	90.82352	2.27058	88.55294
—	3¼	½	3¾	96¼	90.58823	2.26470	88.32353
—	3½	½	4	96	90 35294	2.25882	88.09412
—	3¾	½	4¼	95¾	90.11764	2.25294	87.86470
—	4	½	4½	95½	89.88235	2.24705	87 63530
—	4¼	½	4¾	95¼	89.64705	2.24117	87.40588
—	4½	½	5	95	89 41176	2.23529	87.17647
—	4¾	½	5¼	94¾	89.17647	2.22941	86.94706
—	5	½	5½	94½	88.94117	2.22352	86.71765
—	5¼	1	6¼	93¾	88.23529	2.20588	86.02941
—	5½	1	6½	93½	88 00000	2.20000	85.80000
—	5¾	1	6¾	93¼	87.76470	2.19411	85.57059
—	6	1	7	93	87.52941	2.18823	85 34118
—	6¼	1	7¼	92¾	87.29411	2.18235	85.11176
—	6½	1	7½	92½	87.05882	2.17647	84.88235
—	6¾	1	7¾	92¼	86.82352	2.17058	84.65294

Sicca Weight.	Assay per Cent	Loss and charges in refining.	Total Reduction.	Standard Quantity.	Assayed Produce. Gold Mohurs.	Duty of 2½ per Cent on Coinage.	Nett Produce Gold Mohurs.
100.	7 W.	1	8	92	86.58823	2.16470	84.42353
—	7¼	1	8¼	91¾	86.35294	2.15882	84.19412
—	7½	1	8½	91½	86.11764	2.15294	83.96470
—	7¾	1	8¾	91¼	85.88235	2.14705	83.73530
—	8	1	9	91	85.64705	2.14117	83 50588
—	8¼	1	9¼	90¾	85.41176	2.13529	83.27647
—	8½	1	9½	90½	85.17647	2.12941	83 04706
—	8¾	1	9¾	90¼	84.94117	2.12352	82.81765
—	9	1	10	90	84.70588	2.11764	82.58824
—	9¼	1	10¼	89¾	84.47058	2.11176	82.35882
—	9½	1	10½	89½	84.23529	2.10588	82.12941
—	9¾	1	10¾	89¼	84.00000	2.10000	81.90000
—	10	1	11	89	83.76470	2.09411	81.67059
—	10¼	1½	11¾	88¼	83.05882	2.07647	80.98235
—	10½	1½	12	88	82.82352	2.07058	80.75294
—	10¾	1½	12¼	87¾	82.58823	2.06470	80.52353
—	11	1½	12½	87½	82.35294	2.05882	80 29412
—	11¼	1½	12¾	87¼	82.11764	2.05294	80.06470
—	11½	1½	13	87	81.88235	2.04705	79.83530
—	11¾	1½	13¼	86¾	81.64705	2.04117	79.60588
—	12	1½	13½	86½	81.41176	2 03529	79.37647
—	12¼	1½	13¾	86¼	81.17647	2.02941	79.14706
—	12½	1½	14	86	80.94117	2.02352	78.91765
—	12¾	1½	14¼	85¾	80.70588	2.01764	78.68824
—	13	1½	14½	85½	80.47058	2.01176	78.45882
—	13¼	1½	14¾	85¼	80.23529	2.00588	78.22941
—	13½	1½	15	85	80.00000	2 00000	78.00000
—	13¾	1½	15¼	84¾	79.76470	1.99411	77.77059
—	14	1½	15½	84½	79 52941	1.98823	77.54118
—	14¼	1½	15¾	84¼	79.29411	1.98235	77.31176
—	14½	1½	16	84	79.05882	1.97647	77.08235
—	14¾	1½	16¼	83¾	78.82352	1.97058	76.85294
—	15	1½	16½	83½	78.58823	1.96470	76.62353
—	15¼	2	17¼	82¾	77.88235	1 94705	75.93530
—	15½	2	17½	82½	77.64705	1.94117	75.70588
—	15¾	2	17¾	82¼	77.41176	1 93529	75.47647
—	16	2	18	82	77.17647	1.92941	75.24706
—	16¼	2	18¼	81¾	76.94117	1 92352	75.01765
—	16½	2	18½	81½	76 70588	1.91764	74.78824
—	16¾	2	18¾	81¼	76.47058	1.91176	74.55882
—	17	2	19	81	76.23529	1.90588	74.32941
—	17¼	2	19¼	80¾	76.00000	1.90000	74.10000
—	17½	2	19½	80½	75.76470	1.89411	73.87059
—	17¾	2	19¾	80¼	75.52941	1.88823	73.64118

Sicca Weight.	Assay per Cent.	Loss and charges in refining.	Total Reduction.	Standard Quantity.	Assayed Produce Gold Mohurs.	Duty of 2 ½ per Cent on Coinage.	Nett Produce Gold Mohurs.
100.	18 W.	2	20	80	75.29411	1.88235	73.41176
—	18¼	2	20¼	79¾	75.05882	1.87647	73.18235
—	18½	2	20½	79½	74.82352	1.87058	72.95294
—	18¾	2	20¾	79¼	74.58823	1.86470	72.72353
—	19	2	21	79	74.35294	1.85882	72.49412
—	19¼	2	21¼	78¾	74.11764	1.85294	72.26470
—	19½	2	21½	78½	73.88235	1.84705	72.03530
—	19¾	2	21¾	78¼	73.64705	1.84117	71.80588
—	20	2	22	78	73.41176	1.83529	71.57647
—	20¼	2½	22¾	77¼	72.70588	1.81764	70.88824
—	20½	2½	23	77	72.47058	1.81176	70.65882
—	20¾	2½	23¼	76¾	72.23529	1.80588	70.42941
—	21	2½	23½	76½	72.00000	1.80000	70.20000
—	21¼	2½	23¾	76¼	71.76470	1.79411	69.97059
—	21½	2½	24	76	71.52941	1.78823	69.74118
—	21¾	2½	24¼	75¾	71.29411	1.78235	69.51176
—	22	2½	24½	75½	71.05882	1.77647	69.28235
—	22¼	2½	24¾	75¼	70.82352	1.77058	69.05294
—	22½	2½	25	75	70.58823	1.76470	68.82353
—	22¾	2½	25¼	74¾	70.35294	1.75882	68.59412
—	23	2½	25½	74½	70.11764	1.75294	68.36470
—	23¼	2½	25¾	74¼	69.88235	1.74705	68.13530
—	23½	2½	26	74	69.64705	1.74117	67.90588
—	23¾	2½	26¼	73¾	69.41176	1.73528	67.67648
—	24	2½	26½	73½	69.17647	1.72941	67.44706
—	24¼	2½	26¾	73¼	68.94117	1.72352	67.21765
—	24½	2½	27	73	68.70588	1.71764	66.98824
—	24¾	2½	27¼	72¾	68.47058	1.71176	66.75882
—	25	2½	27½	72½	68.23259	1.70581	66.52678
—	25¼	3	28¼	71¾	68.00000	1.70000	66.30000
—	30	3	33	67	63.05882	1.57647	61.48235
—	30¼	3½	33¾	66¼	62.35294	1.56082	60.79212
—	35	3½	38½	61½	57.88235	1.44705	56.43530

No. III.

TABLE of the PRODUCE of SILVER BULLION in the FURRUCKABAD MINT, commencing the 1ſt of May 1812.

Sicca Weight.	Assay compared with English Standard.	Assay compared with F. SiccaStandard.	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce.	Duty of 2 per Cent on Coinage.	Nett Produce F. Sa. Rs.
100.	Dwts.	pr.Cnt.						
—	7¼ Br.	F Sa.Std.	.0	.0	.0	100.	2.	98.
—	7	.109	.224	.0	.333	99.667	1.993	97.674
—	6¾	.218	.297	.0	.515	99.485	1.989	97.496
—	6½	.327	.371	.0	.693	99.302	1.986	97.316
—	6¼	.436	.445	.75	1.631	98.369	1.967	96.402
—	6	.545	.518	.75	1.813	98.187	1.963	96.224
—	5¾	.654	.592	.75	1.996	98.004	1.960	96.044
—	5½	.763	.665	.75	2.178	97.822	1.956	95.866
—	5¼	.872	.744	.75	2.366	97.634	1.952	95.632
—	5	.981	.823	.75	2.554	97.446	1.948	95.493
—	4¾	1.090	.901	.75	2.741	97.259	1.945	95.314
—	4½	1.199	.980	.75	2.929	97.071	1.941	95.130
—	4¼	1.308	1.058	.75	3.116	96.884	1.937	94.947
—	4	1.417	1.061	·75	3.228	96.772	1.935	94.837
—	3¾	1.526	1.064	·75	3·340	96.660	1.933	94.727
—	3½	1.635	1,063	·75	3 453	96.547	1.930	94.617
—	3¼	1.744	1,072	·75	3·566	96.434	1.928	94.506
—	3	1.853	1,075	·75	3·678	96.322	1.926	94.396
—	2¾	1.962	1,078	·75	3·790	96,210	1 924	94 286
—	2½	2.071	1,082	·75	3·903	96.097	1.921	94.176
—	2¼	2.181	1,088	·75	4·019	95.981	1.919	94.062
—	2	2.290	1,094	·75	4.134	95.866	1.917	93.949
—	1¾	2.399	1.100	·75	4·249	95.751	1.915	93.836
—	1½	2.508	1.106	·75	4·364	95.636	1.912	93.724
—	1¼	2.617	1.112	·75	4·479	95.521	1.910	93.611
—	1	2.726	1.118	·75	4·594	95.406	1.908	93.498
—	¾	2.835	1.125	·75	4·710	95.290	1.905	93.385
—	½	2·944	1.131	·75	4·825	95.175	1.903	93.272
—	¼	3.053	1.138	·75	4·941	95.059	1.901	93.158
—	Eng.Std.	3.162	1.144	·75	5·056	94.944	1.898	93.046
—	¾ W.	3.271	1.150	·75	5·171	94.829	1.896	92.933
—	½	3.380	1.157	·75	5·287	94.713	1.894	92.819
—	¼	3.489	1.161	·75	5·400	94.600	1.892	92.708
—	1	3.598	1.168	·75	5·516	94.484	1.889	92.595
—	1¼	3.707	1.173	·75	5·630	94.370	1.887	92,483
—	1½	3.816	1·180	·75	5·746	94.254	1.885	92.369
—	1¾	3.925	1·186	·75	5.861	94.139	1.882	92.257

100.

No. IV.

TABLE of the PRODUCE of SILVER BULLION in the BENARES MINT, commencing the 1ſt of January 1812.

Sicca Weight.	Assay compared with English Standard.	Assay compared with Bs. SiccaStandard.	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce.	Duty of 2 per Cent on Coinage.	Nett Produce Bs. Sa. Rs.
	Dwts.	pr.Cnt.						
100.	9½ Br.	Bs.Sa.Std.	.0	.0	.0	100.	2.	98.
—	9¼	.108	.224	.0	.332	99.668	1.993	97.675
—	9	.216	.297	.0	.513	99.487	1.989	97.498
—	8¾	.324	.371	.0	.695	99.305	1.986	97.319
—	8½	.432	.445	.75	1.627	98.373	1.967	96.406
—	8¼	.540	.518	.75	1.808	98.192	1.963	96.229
—	8	.648	.592	.75	1.990	98.010	1.960	96.050
—	7¾	.756	.665	.75	2.171	97.829	1.956	95.873
—	7½	.864	.744	.75	2.358	97.642	1.952	95.690
—	7¼	.972	.823	.75	2.545	97.455	1.949	95.506
—	7	1.080	.901	.75	2.731	97.269	1.945	95.324
—	6¾	1.188	.980	.75	2.918	97.082	1.941	95.141
—	6½	1.296	1.058	.75	3.104	96.896	1.937	94.959
—	6¼	1.403	1.061	.75	3.214	96.786	1.935	94.851
—	6	1·511	1.064	.75	3.325	96.675	1.933	94.742
—	5¾	1·619	1.068	.75	3.437	96.563	1.931	94.632
—	5½	1·727	1.072	.75	3.549	96.451	1.929	94.522
—	5¼	1·835	1.075	.75	3.660	96.340	1.926	94.414
—	5	1·943	1.078	.75	3.771	96.229	1.924	94.305
—	4¾	2·051	1.082	.75	3.883	96.117	1.922	94.195
—	4½	2·159	1.088	.75	3.997	96.003	1.920	94.083
—	4¼	2·267	1.094	.75	4.111	95.889	1.917	93.972
—	4	2·375	1.100	.75	4:225	95.775	1.915	93.860
—	3¾	2·483	1.106	.75	4.339	95.661	1.913	93.748
—	3½	2·591	1.112	.75	4.453	95.547	1.910	93.637
—	3¼	2·699	1.118	.75	4.567	95.433	1.908	93.525
—	3	2·807	1.125	.75	4.682	95.318	1.906	93.412
—	2¾	2·915	1.131	.75	4.796	95.201	1.904	93.300
—	2½	3·023	1.138	.75	4.911	95.089	1.901	93.188
—	2¼	3.131	1.144	.75	5.025	94.975	1.899	93.076
—	2	3.239	1.150	.75	5.139	94.861	1.897	92.964
—	1¾	3.347	1.157	.75	5.254	94.746	1.894	92.852
—	1½	3.455	1.161	.75	5.366	94.634	1.892	92.742
—	1¼	3.563	1.168	.75	5.481	94.519	1.890	92.629
—	1	3.671	1.173	.75	5.594	94.406	1.888	92.518
—	¾	3.779	1.180	.75	5.709	94.291	1.885	92.406
								100.

Sicca Weight.	Assay compared with English Standard.	Assay compared with Bs. SiccaStandard.	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce.	Duty of 2 per Cent on Coinage.	Nett Produce Bs. Sa. Rs.
	Dwts.	pr.Cnt.						
100.	½ Br.	3.887	1.186	.75	5.823	94.177	1.883	92.294
—	¼	3.995	1.191	.75	5.936	94.064	1.881	92.183
—	Eng. Stad	4.103	1.196	.75	6.049	93.951	1.879	92.072
—	¼ W.	4.211	1.202	.75	6.163	93.837	1.876	91.961
—	½	4.319	1.208	.75	6 277	93.723	1.874	91.849
—	¾	4.427	1.214	.75	6.391	93.609	1.872	91.737
—	1	4.535	1.220	.75	6.505	93.495	1.869	91.626
—	1¼	4.643	1.226	.75	6.619	93.381	1.867	91.514
—	1½	4.751	1.233	.75	6.734	93.266	1.865	91.401
—	1¾	4.859	1.241	.75	6.850	93.150	1.863	91.287
—	2	4.967	1.250	.75	6.967	93 033	1.860	91.173
—	2¼	5.075	1.259	.75	7.084	92.916	1.858	91.058
—	2½	5.183	1.268	.75	7.201	92.799	1.855	90.941
—	2¾	5.291	1.277	.75	7.318	92.682	1.853	90.829
—	3	5.399	1.287	.75	7.436	92.564	1.851	90 713
—	3¼	5.507	1.297	.75	7.554	92.446	1.848	90.598
—	3½	5.615	1.305	.75	7.670	92.330	1.846	90.484
—	3¾	5.723	1.313	.75	7.786	92.214	1 844	90.370
—	4	5.831	1.321	.75	7.902	92.098	1.841	90.257
—	4¼	5.939	1.330	.75	8.019	91.981	1.839	90.142
—	4½	6.047	1.339	.75	8.136	91.864	1.837	90.027
—	4¾	6.155	1.348	.75	8 253	91.747	1.834	89.913
—	5	6.263	1.357	.75	8.370	91.630	1.832	89.798
—	5¼	6.371	1.364	.75	8.485	91.515	1.830	89.685
—	5½	6.479	1.373	.75	8.602	91.398	1.827	89.571
—	5¾	6.587	1.389	.75	8.726	91.274	1.825	89.449
—	6	6.695	1.404	.75	8.849	91.151	1.823	89.328
—	6¼	6.803	1.420	.75	8.973	91.027	1.820	89.207
—	6½	6 911	1.434	.75	9 095	90.905	1.818	89.087
—	6¾	7 019	1.450	.75	9.219	90.781	1.815	88.966
—	7	7.127	1.466	.75	9 343	90.657	1.813	88.844
—	7¼	7.235	1.481	.75	9.466	90.534	1.810	88.724
—	7½	7.343	1.496	.75	9.589	90.411	1.808	88.603
—	7¾	7.451	1.511	.75	9.712	90.288	1.805	88.483
—	8	7.559	1.526	.75	9.835	90.165	1.803	88 362
—	8¼	7.667	1.542	.75	9.959	90.041	1.800	88.241
—	8½	7.775	1.555	.75	10.080	89.920	1.798	88.122
—	8¾	7.883	1.571	.75	10.204	89.796	1.795	88.001
—	9	7.991	1.585	.75	10.326	89.674	1.793	87.881
—	9¼	8.099	1.601	.75	10.450	89.550	1.791	87.759
—	9½	8.207	1.615	.75	10.572	89.428	1.788	87.640
—	9¾	8.315	1.632	.75	10.697	89.303	1.786	87.517
—	10	8.423	1.649	.75	10.822	89.178	1.783	87.395

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A. D. 1812. REGULATION II.

Sicca Weight.	Assay compared with English Standard.	Assay compared with F. SiccaStandard.	Allowance for loss in refining.	Charges for refining.	Total Reduction	Assayed Produce.	Duty of 2 per Cent on Coinage.	Nett Produce F. Sa. Rs.
	Dwts	pr. Cnt.						
100.	2 W.	4.034	1.191	.75	5 975	94.025	1.880	92.145
—	2¼	4.143	1.196	.75	6.089	93.911	1.878	92.033
—	2½	4.252	1.202	.75	6.204	93.796	1.875	91.921
—	2¾	4.361	1.208	.75	6.319	93.681	1.873	91.808
—	3	4.470	1.214	.75	6.434	93.566	1.871	91.695
—	3¼	4.579	1.220	.75	6.549	93.451	1.869	91.582
—	3½	4.688	1.226	.75	6.664	93.336	1.866	91.470
—	3¾	4.797	1.233	.75	6.780	93.220	1.864	91.356
—	4	4.907	1.241	.75	6.893	93.102	1.862	91.240
—	4¼	5.016	1.250	.75	7.016	92.934	1.859	91.125
—	4½	5.125	1.259	.75	7.134	92.866	1.857	91.009
—	4¾	5.234	1.263	.75	7.252	92.748	1.854	90.894
—	5	5 343	1.277	.75	7 370	92.630	1.852	90.778
—	5¼	5.452	1.287	.75	7.489	92.511	1.850	90.661
—	5½	5.561	1.297	.75	7.608	92.392	1.847	90.545
—	5¾	5.670	1.305	.75	7.725	92.275	1.845	90.430
—	6	5.779	1.313	.75	7.842	92.158	1.843	90.315
—	6¼	5.888	1.321	.75	7.959	92.041	1.840	90.201
—	6½	5.997	1.330	.75	8.077	91.923	1.838	90.085
—	6¾	6.106	1.339	.75	8.195	91.805	1.836	89.969
—	7	6.215	1.348	.75	8.313	91.685	1.833	89.852
—	7¼	6.324	1.357	.75	8.431	91.569	1.831	89.738
—	7½	6.434	1.364	.75	8.543	91.452	1.829	89.623
—	7¾	6.543	1.373	.75	8.666	91.334	1.826	89.508
—	8	6.652	1.389	.75	8.791	91.209	1.824	89.385
—	8¼	6.761	1.404	.75	8.915	91.085	1.821	89.264
—	8½	6.870	1.420	.75	9.040	90.960	1.819	89.141
—	8¾	6.979	1.434	.75	9.163	90.837	1.816	89.021
—	9	7.088	1.450	.75	9.288	90.712	1.814	88.898
—	9¼	7.197	1.466	.75	9.413	90.587	1.811	88.776
—	9½	7.306	1.481	.75	9.537	90.463	1.809	88.654
—	9¾	7.415	1.496	.75	9.661	90.339	1.806	88.533
—	10	7.524	1.511	.75	9.785	90.215	1.804	88.411
—	10¼	7.633	1.526	.75	9.909	90.091	1.801	88.290
—	10½	7.742	1.542	.75	10.034	89.966	1.799	88.167
—	10¾	7.851	1.555	.75	10.156	89.844	1.796	88.048
—	11	7.960	1.571	.75	10.281	89.719	1.794	87.925
—	11¼	8.069	1.585	.75	10.404	89.596	1.791	87.805
—	11½	8.178	1.601	.75	10.529	89.471	1.789	87.682
—	11¾	8.287	1.615	.75	10.652	89.348	1.786	87.562
—	12	8.397	1.632	.75	10.779	89.221	1.784	87 437
—	12¼	8.506	1.649	.75	10.905	89.095	1.781	87.314
—	12½	8.615	1.665	.75	11.030	88.970	1.779	87.191

Sicca Weight.	Assay compared with English Standard.	Assay compared with F. SiccaStandard.	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce.	Duty of 2 per Cent on Coinage.	Nett Produce F. Sa. Rs.
	Dwts.	pr. Cnt.						
100.	12¾W.	8.724	1.683	.75	11.157	88.843	1.776	87.067
—	13	8.833	1.700	.75	11.283	88.717	1.774	86.943
—	13¼	8.942	1.717	.75	11.409	88.591	1.771	86.820
—	13½	9.051	1.734	.75	11.535	88.465	1.769	86.696
—	13¾	9.160	1.751	.75	11.661	88.339	1.766	86.573
—	14	9.269	1.775	.75	11.794	88.206	1.764	86.442
—	14¼	9.378	1.800	.75	11.928	88.072	1.761	86.311
—	14½	9.487	1.825	.75	12.062	87.938	1.758	86.180
—	14¾	9.596	1.850	.75	12.196	87.804	1.756	86.048
—	15	9.705	1.875	.75	12.330	87.670	1.753	85.917
—	15¼	9.814	1.900	.75	12.464	87.536	1.750	85.786
—	15½	9.923	1 925	.75	12.598	87.402	1.748	85.654
—	15¾	10.032	1.950	.75	12.732	87.268	1.745	85.523
—	16	10.141	1.979	.75	12.870	87.130	1.742	85.388
—	16¼	10.250	2.010	.75	13.010	86.990	1.739	85.251
—	16½	10.359	2.038	.75	13.147	86.853	1.737	85.116
—	16¾	10.468	2 068	.75	13.286	86.714	1.734	84.980
—	17	10.578	2.098	.75	13.426	86.574	1.731	84.843
—	17¼	10.687	2.128	.75	13.565	86.435	1.728	84.707
—	17½	10.796	2.155	.75	13.701	86.299	1.725	84.574
—	17¾	10.905	2.183	.75	13.838	86 162	1.723	84.439
—	18	11.014	2.211	.75	13.975	86 025	1.720	84.305
—	18¼	11.123	2.240	.75	14.113	85.887	1.717	84.170
—	18½	11.232	2.268	.75	14.250	85.750	1.715	84 035
—	18¾	11.341	2.296	.75	14.387	85.613	1.712	83.901
—	19	11.450	2.324	.75	14.524	85.476	1.709	83.767

Sicca Weight.	Assay compared with English Standard.	Assay compared with Bs. SiccaStandard.	Allowance for loss in refining.	Charges for refining.	Total Reduction.	Assayed Produce.	Duty of 2 per Cent on Coinage.	Nett Produce Bs. Sa. Rs.
	Dwts.	pr.Cnt.						
100.	10¼ w.	8.531	1.665	.75	10.946	89.054	1.781	87.273
—	10½	8.639	1.683	.75	11.072	88.923	1.778	87.150
—	10¾	8.747	1.700	.75	11.197	88.803	1.776	87.027
—	11	8.855	1.717	.75	11.322	88.678	1.773	86.905
—	11¼	8.963	1.734	.75	11.447	88.553	1.771	86.782
—	11½	9.071	1.751	.75	11.572	88.428	1.768	86.660
—	11¾	9.179	1.775	.75	11.704	88.296	1.765	86.531
—	12	9.287	1.800	.75	11.837	88.163	1.763	86.400
—	12¼	9.395	1.825	.75	11.970	88.030	1.760	86 270
—	12½	9.503	1.850	.75	12.103	87.897	1.757	86.140
—	12¾	9.611	1.875	.75	12.236	87.764	1.755	86 009
—	13	9.719	1.900	.75	12.369	87.631	1.752	85.879
—	13¼	9 827	1.925	.75	12.502	87.498	1.749	85.749
—	13½	9.935	1.950	.75	12.635	87.365	1.747	85.618
—	13¾	10.043	1.979	.75	12.772	87.228	1.744	85.484
—	14	10.151	2.010	.75	12.911	87.089	1.741	85.348
—	14¼	10.259	2.038	.75	13.047	86.953	1 739	85.214
—	14½	10.367	2.068	.75	13.185	86.815	1.736	85.079
—	14¾	10.475	2.098	.75	13.323	86.677	1.733	84.944
—	15	10.583	2.128	.75	13.461	86.539	1.730	84.809
—	15¼	10.691	2.155	.75	13.596	86.404	1.728	84 676
—	15½	10.800	2.183	.75	13.733	86.267	1.725	84.542
—	15¾	10.908	2.211	.75	13.869	86.131	1.722	84.409
—	16	11.016	2.240	.75	14.006	85.994	1.719	84.275
—	16¼	11.124	2.268	.75	14.142	85.858	1.717	84.141
—	16½	11.232	2.296	.75	14.278	85.722	1.714	84.008
—	16¾	11.340	2.324	.75	14.414	85.586	1.711	83.875
—	17	11.448	2.349	.75	14.517	85.453	1.709	83.744
—	17¼	11.556	2.374	.75	14.630	85.320	1.706	83.614
—	17½	11.664	2.398	.75	14.812	85.188	1.703	83.485
—	17¾	11.772	2.422	.75	14.944	85.056	1.701	83.355
—	18	11.880	2.444	.75	15.074	84.926	1.698	83.228
—	18¼	11.988	2.464	.75	15.202	84.798	1.695	83.103
—	18½	12.095	2.485	.75	15.330	84.670	1.693	82.977

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A. D. 1812. REGULATION III.

A REGULATION *for amending ſome of the rules at preſent in force in regard to the conduct of enquiries into charges of a criminal nature, and for eſtabliſhing additional proviſions with a view to the more effectual apprehenſion of criminals.*—Passed *by the Governor General in Council, on the* 18*th April* 1812; *correſponding with the* 7*th Byſack* 1219 *Bengal era; the* 22*d Byſack* 1219 *Fuſſily; the* 8*th Byſack* 1219 *Willaity; the* 7*th Byſack* 1869 *Sumbut; and the* 5*th Rubbi-us-Sanee* 1227 *Higeree.*

Preamble.

WHEREAS it is neceſſary to provide for the ſubſiſtence of witneſſes, whoſe evidence may be required in caſes of adultery, fornication, calumny, abuſive language, ſlight treſpaſs and inconſiderable aſſault; and whereas it has been judged adviſable to reſtrain the indiſcriminate permiſſion, which has been granted to vakeels and agents, to conduct criminal proſecutions, inſtead of requiring the perſons complaining to carry on ſuch proſecutions themſelves; and whereas it is eſſential to the maintenance of an efficient police, that zemindars, farmers, and others, ſhould furniſh the magiſtrates with punctual information of all robberies committed within the limits of the eſtate or farm held or managed by them; It being moreover neceſſary to make proviſion for the execution of ſentences paſſed by the ſuperintendents of police; and whereas it is eſſential to provide for the more prompt and exemplary puniſhment of pikes, and other village watchmen, when convicted of miſconduct or groſs neglect; and it having been likewiſe judged adviſable to modify the rules at preſent in force reſpecting the aid, which perſons diſtraining for the recovery of arrears of rent, ſhould receive from the officers of police; and whereas it is expedient to call forth by all proper means the exertions of the zemindars, farmers and others, in the apprehenſion of perſons, who may have broken jail or have otherwiſe effected their eſcape; of perſons, for the apprehenſion of whom proclamations may have been iſſued; and of other perſons, who may have eluded the purſuits of juſtice; the following rules have been enacted by the Governor General in Council, to be in force from the period of their promulgation, throughout the territories immediately dependent on the Preſidency of Fort William.

No proceſs for the attendance of witneſſes to give evidence in certain caſes to be iſſued, unleſs the perſon by whom the charge may be preferred, ſhall depoſit in the hands of the nazir a ſufficient ſum for the maintenance of the witneſſes during the period of one month.

II. *Firſt.* By Section IV, Regulation VII, 1811, it is provided, that whenever proceſs may be iſſued by a magiſtrate in conſequence of any charge of adultery, fornication, rape, calumny, abuſive language, ſlight treſpaſs or inconſiderable aſſault (with the exception however of caſes of maihem, actual affrays, and tumultuary aſſemblies of the people) ſuch proceſs ſhall be ſerved by peons or other perſons, who ſhall be authorized by the magiſtrate to demand and receive tulbana according to the eſtabliſhed rate; ſuch tulbana to be paid in the firſt inſtance by the party at whoſe complaint the proceſs may be iſſued. It being further neceſſary to make proviſion for the payment of the ſubſiſtence of witneſſes in caſes of the above nature; it is hereby declared, that no proceſs ſhall be iſſued for the attendance of witneſſes on any charge of adultery, fornication, calumny, abuſive language, ſlight treſpaſs or inconſiderable aſſault, unleſs the perſon by whom ſuch charge ſhall be preferred, ſhall depoſit in the hands of the nazir, a ſufficient ſum for the maintenance of the witneſſes, who may be ſummoned on his application (being perſons reſiding at a greater diſtance than five coſs from the magiſtrate's cutcherry) for their ſupport during the period of one month, at ſuch rate as may be fixed by the magiſtrate in each caſe, not being however in any inſtance leſs than one anna, or more than three annas per day for each witneſs.

Should the witneſſes be detained leſs than a month, the ſurplus of the depoſit money ſhall be returned to the proſecutor.

Second. Should the detention of the witneſſes from their homes be leſs than one month, the witneſſes ſhall be only deemed entitled to ſubſiſtence during the period that they may have been neceſſarily abſent in attendance at the magiſtrate's cutcherry, in proceeding thither, and in returning to their homes; and the ſurplus of the money, which may have been depoſited by the proſecutor, ſhall be returned to him.

If the detention of the witneſſes be for a longer period than that ſpecified in Clauſe Firſt of this ſection, the proſecutor to depoſit at the expiration of each month a further ſum;

Third. On the other hand, ſhould the witneſſes be detained in attendance on the magiſtrate during a longer period than that above ſpecified, the proſecutor ſhall depoſit, at the expiration of each month, ſuch further ſum as may be neceſſary for the ſubſiſtence of his witneſſes during the month next enſuing, until the caſe ſhall have been finally diſpoſed of, or the witneſſes diſcharged from their attendance. Should the proſecutor in any inſtance fail to make the preſcribed monthly depoſit, the complaint ſhall be immediately diſmiſſed.

Or, in caſe of failure his complaint to be diſmiſſed.

Caſes in which the foregoing proviſions are not intended to apply.

Fourth. The foregoing proviſions are not intended to apply to caſes of maihem, actual affrays, or tumultuary aſſemblies of the people, requiring the immediate interpoſition of the police for the maintenance of the public tranquillity. In ſuch caſes, as well as in charges for heinous crimes, the ſubſiſtence of indigent proſecutors and witneſſes will be defrayed by Government. If however a proſecutor ſhall in any inſtance, by an exaggerated and perverted repreſentation of the caſe, procure proceſs to be iſſued againſt any perſon for any ſuch crime or public miſdemeanour, and it ſhall on enquiry appear that the caſe was nothing more than a ſlight treſpaſs, inconſiderable aſſault, or other trifling offence, ſuch proſecutor ſhall be held accountable for whatever ſum may appear to be due from him for the ſubſiſtence of his witneſſes, on the principles ſtated in the three preceding clauſes of this ſection of the preſent regulation.

Account to be kept by the nazir of all ſums received and diſburſed on account of the ſubſiſtence of witneſſes, and to be inſpected by the magiſtrate and his aſſiſtant monthly.

Fifth. It ſhall be the duty of the nazir to keep an accurate and particular account of all ſums received and diſburſed by him on account of the ſubſiſtence of witneſſes under this regulation, which ſhall be inſpected monthly by the magiſtrate or his aſſiſtant.

Magiſtrate prohibited from iſſuing any proceſs without previouſly ſatisfying himſelf that ſufficient grounds exiſt for the proſecution.

Sixth. With the view of further reſtraining the inſtitution of proſecutions for adultery, fornication, calumny, abuſive language, treſpaſſes and aſſaults, which ordinarily prove to be unfounded, miſrepreſented, or greatly exaggerated, the magiſtrates are hereby ſtrictly prohibited from iſſuing any proceſs on theſe, as well as charges for more heinous offences, without previouſly examining the proſecutor as to the ſpecific facts of the caſe, and ſatisfying themſelves that adequate grounds exiſt for proceeding againſt the accuſed party. In caſes likewiſe in which the magiſtrate ſhall ſee grounds to diſtruſt the truth of a charge, he ſhall, previouſly to iſſuing proceſs againſt the accuſed, ſummon the witneſſes named by the proſecutor, or as many of them as he may judge proper, and examine them as to their knowledge of the facts and circumſtances which are the ſubject of the complaint; but enquiries of this nature ſhall not on any account be committed to the police darogahs, who are precluded from taking cognizance of the caſes, to which this proviſion ſpecially refers, by Regulation VII, 1811. On occaſions on which the magiſtrate may judge it neceſſary to make the previous enquiry above noticed; the rules contained in the preceding clauſes of this ſection, regarding the payment of the ſubſiſtence of witneſſes ſhall be duly enforced.

Perſons having charges to prefer, to attend in perſon and no vakeels to interfere in proſecutions except in ſpecial caſes.

III. By Section IV, Regulation IX, 1807, a diſcretionary power is veſted in the magiſtrates to diſpenſe, in certain caſes, with the perſonal attendance of perſons having criminal charges to prefer.

prefer, and to receive charges of that nature from the authorized agents of ſuch perſons, provided that the facts alleged be ſworn to by ſome one perſonally informed of the exiſtence of them. Serious inconvenience having however been experienced from the indiſcriminate permiſſion allowed to vakeels and agents to conduct ſuch proſecutions; it is hereby declared, that in ordinary caſes, individuals having charges of a criminal nature to prefer, ſhall attend in perſon to inſtitute and conduct the proſecution before the magiſtrate, and likewiſe before the court of circuit, in caſes in which the charge may be made over for trial to that court; and that vakeels or agents ſhall not be permitted to interfere in the conduct of ſuch proſecutions, unleſs ſubſtantial reaſons be ſhewn (to be recorded of courſe on the proceedings of the magiſtrate,) why the proſecutor himſelf ſhould not attend to carry it on in perſon. It ſhall be the duty of the Nizamut Adawlut and of the courts of circuit, to reſtrain any ill judged exerciſe of the diſcretion veſted in the magiſtrates with reſpect to this point.

Rules reſpecting the reſort of criminals within the limits of eſtates.

IV. *Firſt.* Regulation VI, 1810, defines the duty required from the zemindars and others, with reſpect to the reſort of criminals within the limits of the eſtates, or farms held or managed by them.

Landholders &c. held reſponſible for giving early information of robberies, &c. under penalties.

Second. With the view of affording to the magiſtrates more early and punctual information of public offences committed within the limits of their reſpective juriſdiction, all zemindars, talookdars and other proprietors of lands, whether malgoozary or lackeraje; all ſudder farmers and under-renters of land, of every deſcription; all dependant talookdars; all naibs, and other local agents; all native officers employed in the collection of the revenue and rents of lands on the part of Government, or of the court of wards, are hereby declared eſpecially accountable for the early and punctual communication to the magiſtrates, or police darogahs, of all information which they may obtain reſpecting the commiſſion of robberies, and likewiſe regarding the offence of breaking into houſes, tents, or boats, or other places of habitation, perpetrated within the limits of the eſtate or farm held or managed by them; and any landholder or other deſcription of perſons above noticed, to whom ſuch reſponſibility is declared to attach, who may neglect to give the information hereby required, to the police darogah, or to the magiſtrate, ſhall, on proof of ſuch neglect, after an inquiry ſimilar to that directed by Section XIII, Regulation IX, 1808, be ſentenced by the magiſtrate to pay a fine or to ſuffer impriſonment not exceeding the limitation therein ſpecified.

Magiſtrates authorized and required to carry ſentences paſſed by the ſuperintendents of police into execution in certain caſes.]

V. *Firſt.* The ſuperintendents of police are inveſted by the exiſting regulations with a concurrent juriſdiction with the magiſtrates of the zillahs and cities included within the local limits of the authority of the ſaid ſuperintendents reſpectively. It being neceſſary however to make proviſion for the execution of ſentences, which may be paſſed by the ſuperintendents, on offenders in caſes in which ſuch ſentences cannot conveniently be carried into effect under their immediate directions, they are hereby declared competent to certify all ſuch ſentences to the magiſtrate of the diſtrict in which the offence may have been committed; and the magiſtrate, to whom ſuch application may be addreſſed, is hereby authorized and required to carry the ſentence of the ſuperintendent into execution, in the ſame manner as if it had been paſſed by the magiſtrate himſelf.

Magiſtrates to ſuperintend the conduct of proſecutions in caſes certified by the ſuperintendents.

Second. In caſes, in which perſons may be committed or held to bail by the ſuperintendents of police for trial before the courts of circuit, and the ſaid ſuperintendents may not conveniently be able to ſuperintend the conduct of ſuch proſecutions themſelves, it ſhall be competent for them to certify the order regarding the trial to the magiſtrate of the diſtrict in which the offence may be alleged to have been committed, and the magiſtrate on receipt of ſuch application, ſhall then ſuperintend the conduct of the proſecution before the court of circuit, in the ſame manner as if the accuſed party had been committed or held to bail by the magiſtrate himſelf.

Superintendents not precluded by the foregoing proviſions from performing thoſe duties themſelves.

Third. Provided however, that nothing contained in the preceding clauſes, ſhall be conſtrued to prevent the ſuperintendents of police from cauſing ſentences paſſed by them under the regulations being carried into effect under their immediate directions, or from ſuperintending the conduct of proſecutions againſt perſons committed or held to bail by them for trial before the courts of circuit, in caſes in which they may deem it adviſable to execute thoſe duties themſelves.

Puniſhment for watchmen convicted of groſs neglect, &c.

VI. Any pike, chokedar, pauſbaun, negabaun, or other deſcription of watchman, ſubject to the orders of any cutwal or darogah of police, who may hereafter be proved guilty of any groſs neglect or miſconduct in the diſcharge of his duty as a police officer, (ſuch neglect or miſconduct not being of a nature which may render it proper that he ſhould be committed or held to bail for trial by the court of circuit), ſhall for ſuch offence, be liable to ſuffer corporal puniſhment by ſentence paſſed by the magiſtrate, not exceeding thirty ſtripes of a rattan, inſtead of the penalties of fine or impriſonment; provided the offender ſhall appear a fit object of corporal puniſhment, and the magiſtrate ſhall be of opinion that the infliction thereof will operate as a better example than the penalties of fine or impriſonment.

Magiſtrates to nominate perſons to officiate when requiring darogahs to quit their tannahs.

VII. Inconvenience having been experienced in certain caſes from the abſence of the darogahs from their tannahs in conſequence of their attendance being required at the ſtations of the magiſtrates or from other cauſes, it ſhall be the duty of the magiſtrates on all occaſions of that nature, to nominate the moherer or jemadar of the tannah, or to depute ſome other perſon, according as the magiſtrate may judge moſt adviſable to officiate as darogah, reporting the ſelection ſo made to the provincial court under Section V, Regulation VIII, 1809.

Additional rules as to the aid to be furniſhed by the police officers to diſtrainers.

VIII. Section IX, Regulation VII, 1799; Section IX, Regulation V, 1800; and Section XVII, Regulation XXVIII, 1803; contain rules reſpecting the aid which ſhould be furniſhed by the officers of police to diſtrainers. The object of this proviſion having however been on many occaſions miſunderſtood or miſapplied, it is hereby enacted, that no aid ſhall be furniſhed by darogahs of police for the diſtreſs and ſale of property for the recovery of arrears of rent, unleſs oath be made before them, that actual reſiſtance has been made to the diſtrainer in the exerciſe of the legal power veſted in him with reſpect to thoſe points. In order likewiſe to prevent the burkundazes from being withdrawn, on occaſions of that nature, from the tannahs and from the diſcharge of their general duties, muſkoory peons, to be ſelected by the darogahs and paid by the diſtrainers at the eſtabliſhed rate of tulbana, ſhall be employed in the performance of the ſervice in queſtion.

Certain regiſters of the names of offenders to be prepared at each zillah and city.

IX. *Firſt.* On the receipt of this regulation, the magiſtrates of the ſeveral zillahs and cities ſhall cauſe to be prepared, according to the forms hereunto annexed, Nos. 1, 2, and 3, regiſters of the names of the following deſcriptions of perſons; firſt, regiſter of convicts who have broken jail or have otherwiſe effected their eſcape; ſecond, ditto of perſons, for the apprehenſion of whom proclamations may have been iſſued under the proviſions of Regulation IX, 1808; thirdly, ditto of perſons charged with or ſuſpected of the commiſſion of ſpecific crimes of a heinous nature, who may have eluded the purſuits of juſtice.

When the regiſters ſhall commence. Copies to be furniſhed half yearly to the ſuperintendents of police.

Second. The regiſters above preſcribed, ſhall commence from the 1ſt day of January 1812; they ſhall be regularly reviſed and kept up in the Perſian language by the ſeveral magiſtrates, who ſhall forward copies of them on the 1ſt of January and the 1ſt of July, in each year, to the ſuperintendents of police reſpectively for their information.

Third. At the expiration of every period of ſix months, reckoning from the 1ſt of January laſt, or oftener, when circumſtances may appear to require it, the zillah and city magiſtrates ſhall cauſe liſts to be prepared from the abovementioned regiſters of all perſons therein named who may not have been apprehended, and ſhall tranſmit copies of the ſaid liſts to the principal landholders, farmers, and managers of land, together with warrants for the apprehenſion of the perſons therein named, agreeably to the forms annexed to this Regulation, Nos. 4, 5, and 6. Tranſcripts of the liſts thus prepared ſhall be at the ſame time tranſmitted by the magiſtrates under their official ſeal and ſignature to the police darogahs for their information.

Liſts to be prepared half yearly or oftener, and tranſmitted by the magiſtrate to the landholders with warrants for the apprehenſion of the perſons named therein. Copies to be alſo ſent to the darogahs.

Fourth. The magiſtrates ſhall be careful to obtain from the landholders, farmers, and managers of land, or from their repreſentatives, to whom the ſaid liſts and warrants may be delivered, written acknowledgements of the receipt of them.

Magiſtrates to obtain written acknowledgements of the receipt of ſuch liſts and warrants by the landholders.

Fifth. All zemindars, talookdars, and other proprietors of lands, whether malgoozary or lakeraj; all ſudder farmers and under renters of land of every deſcription; all dependant talookdars; all naibs and other local agents; all native officers employed in the collection of the revenues and rents of land on the part of government, or of the court of wards to whom the liſts and warrants mentioned in the preceding clauſes of this regulation ſhall have been delivered, are hereby authorized either to cauſe the immediate apprehenſion of any of the perſons named in either of the ſaid liſts who may be found within the limits of the eſtates held or managed by them; or to apply to the neareſt police officer for any aid which may be required in the execution of that duty; or ſimply to communicate to ſuch officer ſuch information, as may have been obtained reſpecting the place, to which the perſons in queſtion may reſort, or in which they may be concealed.

All zemindars &c. to whom ſuch liſts and warrants are tranſmitted authorized to apprehend the perſons named therein.

Sixth. Perſons who may be apprehended under the proviſions of this regulation, ſhall be delivered as ſpeedily as poſſible into the charge

Such perſons when apprehended to be delivered in charge to the police officers charge of the neareſt darogah or other officer of police for the purpoſe of being forwarded under ſafe cuſtody to the magiſtrate, and an acknowledgement ſhall uniformly be given by ſuch darogah or other officer of police ſpecifying the names of the priſoners, and the date on which they were delivered into his charge.

Zemindars &c. to furniſh half yearly reports of perſons ſo apprehended.

Seventh. The ſeveral zemindars, farmers, and local agents to whom warrants and liſts of public offenders ſhall have been furniſhed under this regulation, are hereby required to tranſmit to the magiſtrates on the 30th June and 31ſt of December, in each ſucceeding year, returns according to the annexed form No. 7, of all perſons who may have been apprehended by them, or by means of information given by them to any police officer during the preceding ſix months; counterparts of which returns ſhall at the ſame time be tranſmitted by the ſeveral zemindars, farmers or local agents, by means of the public dawks to the office of the ſuperintendent of the police.

Darogahs to furniſh reports of ſuch perſons apprehended by them.

Eighth. In like manner the ſeveral darogahs ſhall tranſmit at the periods above ſpecified, returns of all perſons named in the liſts with which they had been furniſhed, who may have been apprehended by them during the preceding ſix months, accompanied by any explanation which they may wiſh to offer in the event of no perſons having been apprehended; copies of the preſcribed returns and explanations ſhall at the ſame time be forwarded by the police darogahs by means of the public dawks to the office of the ſuperintendent of police, and ſuch returns are to be invariably made, whether any perſons ſhall have been apprehended or otherwiſe, and ſhall be diſpatched by the darogahs from their reſpective thannahs, on or before the 15th of the month of January and July of each year.

Magiſtrates to cauſe the zemindars &c. to be informed that they will be held guiltleſs of any conſequences enſuing from reſiſtance to the execution of ſuch warrants.

X. *Firſt.* The zillah and city magiſtrates ſhall cauſe it to be explained to all perſons to whom warrants ſhall be granted for the apprehenſion of perſons under the proviſions of this regulation, that if in the legal execution of ſuch warrants either by themſelves or by any perſon or perſons acting under their authority, any reſiſtance be made by the party named in the warrant, or by any other perſon, (the ſaid warrant being ſhewn to the party ſo reſiſting) ſuch zemindar, farmer, or local agent or other perſon acting under their authority by whom the warrant may be executed, will be held guiltleſs with reſpect to any conſequences, which may enſue from ſuch reſiſtance to the execution thereof.

Second. It is further hereby declared, that any reſiſtance by any perſon whatever, of any warrant or proceſs of the court iſſued under this regulation, ſhall be puniſhable in the ſame manner as is preſcribed by the exiſting regulations, for reſiſtance of proceſs of the zillah and city magiſtrates.

Caſes of ſuch reſiſtance to be puniſhed as preſcribed, for reſiſtance to other proceſs of the courts.

XI. *Firſt.* The magiſtrates of the ſeveral zillahs and cities ſhall cauſe it to be carefully explained to the zemindars, farmers, and their local agents, to whom warrants ſhall be granted under this regulation, that they will not be required either to become proſecutors, or to attend the court, or to adduce evidence, or otherwiſe be ſubjected to any perſonal inconvenience or expenſe on account of any charge or proſecution, which may be depending or may be inſtituted againſt any perſon or perſons legally apprehended by them under this regulation, or who may be apprehended by means of any information which they may furniſh to any police officer of government.

Zemindars &c. to be informed that they will not be required to proſecute or attend the courts in ſuch caſes.

Second. In the event of any evidence being required by the magiſtrate in regard to the general character of any party apprehended by means of any zemindar, farmer, or local agent, or in reſpect to any other point or matter which ſhall not be furniſhed by the proceedings which may have been previouſly held by the court, or by any other records of the magiſtrate's office, the magiſtrate ſhall cauſe ſuch evidence to be procured by means of the regular police officers of government.

Evidence as to perſons ſo apprehended to be procured thro' the regular police officers.

Penalties for neglect or miſconduct of zemindars, &c. in the performance of the duty herein preſcribed.

XII. Whenever any zillah or city magiſtrate ſhall have grounds to believe that any zemindar, farmer, or manager of land ſhall have been guilty of any neglect or miſconduct in the diſcharge of the duty impoſed upon him by this regulation, the magiſtrate ſhall call upon him to anſwer to the charge; and if it ſhall appear upon a full and impartial enquiry, that the perſon accuſed has been actually guilty of the neglect or miſconduct aſcribed to him; the magiſtrate ſhall ſentence the offender to pay ſuch a fine to government, and to ſuffer impriſonment for ſuch a period of time as he may deem proportioned to the offence, not exceeding however, the limitation preſcribed by Section XIX, Regulation IX, 1807, viz. impriſonment for ſix months, and a fine of rupees 200 commutable, if not paid, to impriſonment for a further period not exceeding ſix months longer.

Magiſtrates may grant ſuch liſts and warrants to perſons not being zemindars &c. with their own conſent and these rules declared applicable to ſuch perſons.

XIII. The magiſtrates of the ſeveral zillahs and cities are hereby empowered to grant liſts and warrants for the apprehenſion of any perſons of the deſcription of thoſe deſcribed in Clauſe Third, Section IX, of this Regulation, prepared in the manner preſcribed to any individual with his conſent not being a zemindar, farmer, or local agent for the management of lands or regular police officer of Government; and the proviſions of this Regulation ſhall be held applicable to the legal execution of any warrant of the magiſtrate by any perſon ſo employed.

No. 1.

REGISTER of CONVICTS who have broken Jail, or have otherwise effected their escape.

Name and Cast of the Persons, who have escaped from Jail.	Name of the Father.	Supposed Age.	Description of his Person.	Supposed usual place of Residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained Death.

No. 2.

REGISTER of PERSONS, for the apprehension of whom Proclamations have been issued under the provisions of Regulation IX, 1808.

Date of Proclamation.	Name and Cast of the Persons proclaimed.	Name of the Father	Supposed Age.	Description of his Person.	Supposed usual place of Residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained Death.

No. 3.

No. 3.

REGISTER of PERSONS charged with, or suspected of, the commission of specific crimes of a heinous nature, who may have eluded the pursuits of justice.

Name and Cast of the Persons accused or suspected.	Name of the Father	Supposed Age.	Description of his Person.	Supposed usual place of Residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained Death.

No. 4.

FORM OF WARRANT for the apprehension of Convicts who have escaped.

Seal of the Court.

No. of Warrant

To (name of the landholder, farmer, or local agent, to whom the Warrant may be addreſſed, and the name of the eſtate, pergunnah or mehaul of which he may be proprietor, farmer or manager.)

WHEREAS the perſon or perſons (convicts) herein named, having effected his or their eſcape from the jail of the (zillah or city,) you are hereby authorized and required to apprehend and deliver over to the cuſtody of the neareſt or other police officer of Government, the ſaid perſon or perſons, all or any of whom ſhall be found within the limits of the eſtate, farm or lands committed to your management, or to give information to the magiſtrate or neareſt police officer of Government, of the place of concealment, reſort or abode of ſuch perſon or perſons, ſo that he or they may be apprehended. In this fail not dated

Name and Cast of the Persons, who have escaped from Jail.	Name of the Father.	Supposed Age.	Description of his Person.	Supposed usual place of Residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained Death.

The number of perſons, included in the liſt, to be ſpecified in Engliſh by the magiſtrate,

Zillah, *and date of Warrant.*

(Signature of the magiſtrate.)

No. 5.

FORM OF WARRANT for the apprehension of Perſons proclaimed under Regulation IX, 1808.

No. of Warrant.

Seal of the Court.

To (name of the Landholder, Farmer, or Local Agent, to whom the Warrant may be addreſſed, and the name of the Eſtate, Pergunnah or Mehal of which he may be Proprietor, Farmer or Manager.)

WHEREAS proclamation has been duly made in conformity with the proviſions of Regulation IX, 1808; requiring the appearance before the Magiſtrate of (Zillah or City,) of the Perſon or Perſons herein named, and the ſaid Perſon or Perſons having failed to attend at the Cutcherry of the Magiſtrate, according to the exigence of the ſaid proclamation, you are hereby authorized and required to apprehend and to deliver into the cuſtody of the neareſt or other Police Officer of Government, the Perſon or Perſons herein named, ſhould all or any of them be found within the limits of your Eſtate, Farm or Lands, or to give information to the Magiſtrate or neareſt Police Officer of the place of concealment, or abode of ſuch Perſon or Perſons, ſo that he or they may be apprehended. In this fail not. Dated

Date of Proclamation.	Name and Cast of the Perſons proclaimed.	Name of the Father.	Supposed Age	Description of his Person.	Supposed usual place of Reſidence.	Amount of Reward offered for his apprehension.	Date of apprehension, surrender, or ascertained Death.

The number of Perſons, included in the liſt, to be ſpecified in Engliſh by the Magiſtrate.

Zillah, *and date of Warrant.*

(Signature of the Magiſtrate.)

No. 6.

FORM of WARRANT for the apprehension of Persons charged with specific crimes, who may have eluded the pursuit of justice.

Seal of the Court.

No. of Warrant.

To (name of the Landholder, Farmer or Local Agent, to whom the Warrant may be addreſſed, and the name of the Eſtate, Pergunnah or Mehaul, of which he may be Proprietor,. Farmer, or Manager.)

WHEREAS the Perſon or Perſons herein named, have been charged on oath before the Magiſtrate of (Zillah or City,) with the crimes herein ſpecified, and Whereas the Magiſtrate has ſtrong grounds to ſuſpect that ſuch Perſon or Perſons have been concerned as principals or acceſſaries in the perpetration of the ſaid crimes, and the appearance of ſuch Perſon or Perſons being required at the Cutcherry of the Magiſtrate of the aforeſaid (Zillah or City) to anſwer to the matter alleged againſt them, you are hereby authorized and directed to apprehend and to deliver into the cuſtody of the neareſt or other Police Officer of Government, the Perſon or Perſons herein named, ſhould all or any of them be found within the limits of your Eſtate, Farm, or Lands, or to give information to the Magiſtrate, or neareſt Police Officer, of the place of concealment or abode of ſuch Perſon or Perſons, ſo that he or they may be apprehended. In this fail not. Dated

Name and Cast of the Persons accused or suspected.	Name of the Father.	Supposed Age.	Description of his Person.	Supposed usual place of Residence.	Amount of Reward offered for his apprehension.	Date of apprehension, surrender, or ascertained Death.

The number of Perſons, included in the liſt, to be ſpecified in Engliſh by the Magiſtrate.

Zillah, *and date of Warrant.*

(Signature of the Magiſtrate.)

No. 7.

HALF YEARLY RETURN of Persons apprehended under the provisions of Regulation III, 1812, by (name of Zemindar, Farmer, Local Agent or Police Darogah) of (name of Estate, Farm or Thannah) of (Zillah or City jurisdiction).

Numbers and dates of Warrants, under which apprehended.	Name of Persons apprehended.			Date of apprehension.
	Persons who had escaped.	Convicts proclaimed.	Persons who had have eluded the process of the Court.	

A. D. 1812. REGULATION IV.

A REGULATION *to enable the Governor General in Council to inſtitute or defend, through the medium of the public officers of Government, actions, in which native Princes, whom it would be improper to require to appear as plaintiffs or defendants in the courts of judicature, may be parties.*—PASSED *by the Governor General in Council, on the 24th April 1812; correſponding with the 13th Byſaak 1219 Bengal era; the 28th Byſack 1219 Fuſſily; the 14th Byſaak 1219 Willaity; the 13th Byſaak 1869 Sumbut; and the 11th Rubbi-us-Sanee 1227 Higeree.*

Preamble.

WHEREAS with the view of preſerving inviolate the rights of individuals, the Britiſh Government has rendered itſelf amenable to the courts eſtabliſhed for the adminiſtration of juſtice in civil caſes, throughout the provinces of Bengal, Behar, Oriſſa and Benares, and in the Ceded and Conquered Provinces; And whereas, in the ſame ſpirit of equity, the Government has precluded itſelf from deciding by its own authority on diſputed claims to property of every deſcription, in which it may be a party with any of its ſubjects, except in caſes expreſſly reſerved to its deciſion or to that of the ſubordinate executive authorities by the exiſting regulations; And whereas the ſovereigns of adjacent ſtates have occaſionally claims to preſer, or rights to defend as individuals in the territories of the Britiſh Government; and difficulties having occurred in proſecuting or defending ſuch claims from the reluctance felt by thoſe Princes to appear as plaintiffs or defendants in the courts of judicature, the following rules have been paſſed; to be in force from the period of their promulgation throughout the territories immediately dependent on the Preſidency of Fort William.

How claims of ſovereign native princes on individuals may be proſecuted and decided upon.

II. *Firſt.* In cases, in which ſovereign native Princes, whether reſiding within the Britiſh territories or otherwiſe, ſhall have claims to preſer as individuals, to lands or other things, the cognizance of which is veſted by the general conſtitution of the country in the courts of civil judicature, it ſhall be competent to the Governor General in Council, to order a ſuit to be inſtituted, through the medium of the public officers, for the recovery of the lands or other things which may be ſo claimed, in the court, which on the principles of the general regulations is authorized to enquire into, and decide upon, the right to the diſputed property.

The Governor General in Council may order the public officers to defend ſuits brought by individuals againſt ſuch ſovereign native princes.

Second. In like manner, ſhould a ſuit be inſtituted in any of the eſtabliſhed courts of civil judicature, by any zemindar or other perſon for the recovery of lands or other things, in the occupancy of any native Prince, whom it would be improper to require to defend the action himſelf, it ſhall be competent to the Governor General in Council to order ſuch ſuit to be defended by the public officers.

By whom ſuits ſo inſtituted or defended ſhall be conducted.

III. Suits which may be inſtituted or defended under the preceding ſection, ſhall be conducted by the collectors of the land revenue, aided by the vakeels of Government at the city, zillah, and provincial courts, and at the Sudder Dewanny Adawlut, under the directions of the Board of Revenue in the provinces of Bengal, Behar, and Oriſſa; and of the Board of Commiſſioners in the ceded and conquered provinces, and in the province of Benares; which Boards will of courſe on all ſuch occaſions be furniſhed by the Governor General in Council with ſuch information and inſtructions as may appear neceſſary to enable them duly to ſuperintend the conduct of the proſecution or of the defence.

A ſummary of the decree paſſed in any caſe of that nature wherein government may be a party, ſhall be tranſmitted immediately to the ſecretary in the Judicial Department, for the orders of Government.

IV. In all original ſuits and appeals, in which Government may be a party under the proviſions of the preſent regulation, the court which may paſs judgment, ſhall, in addition to the copies of the decrees required to be delivered to the parties, tranſmit a ſummary of the decree with as little delay as poſſible, in the Engliſh language, to the Secretary to Government in the Judicial Department, for the information of the Governor General in Council, who on receipt of ſuch ſummary will iſſue any orders to the Board of Revenue or Board of Commiſſioners, which the caſe may appear to require, or will cauſe the neceſſary notification to be made to the perſon on whoſe behalf the cauſe ſhall have been proſecuted or defended, of the final judgment given on the action.

A. D. 1812. REGULATION V.

A REGULATION *for amending ſome of the rules at preſent in force for the collection of the land revenue.*—PASSED *by the Governor General in Council, on the 1ſt May* 1812, *correſponding with the* 20*th Byſaak* 1219 *Bengal era*; *the* 5*th Byſaak* 1219 *Fuſſily; the* 21*ſt Byſaak* 1219 *Willaity*; *the* 5*th Byſaak* 1869 *Sumbut; the* 18*th Rubbi-us-Sanee* 1227 *Higeree.*

Preamble.

WHEREAS it has been deemed adviſable to reviſe the rules eſtabliſhed regarding the grant of pottahs by the proprietors of land, paying revenue to government, to their tenants, and alſo the rates at which perſons purchaſing land at the public ſales are entitled to collect their rents; and whereas there are grounds to believe that conſiderable abuſes and oppreſſion have been committed by zemindars, talookdars and farmers of land in the exerciſe of the powers veſted in them, with reſpect to the diſtreſs and ſale of the property of their tenants for the recovery of arrears of rent; and circumſtances having occurred which render it neceſſary to explain the real intent and meaning of the exiſting rules regarding the ſale of eſtates for the recovery of arrears of public aſſeſſment; and whereas it has been deemed expedient to annul the exiſting proviſions for levying in certain caſes a penalty of rescinded by Sect 2 Reg 12 of 1824.

of twelve per cent in addition to the eſtabliſhed intereſt on arrears due from the proprietors and farmers of eſtates, and at the ſame time to provide more generally for the levy of ſuch intereſt, the following rules have been paſſed, to be in force on their promulgation throughout the provinces immediately dependent on the Preſidency of Fort William.

Rules contained in Section II, Regulation XLIV, 1793; Section II, Regulation L, 1795, and Clauſe Second, Section II, Regulation XLVII, 1803, precluding proprietors of lands paying revenue to Government, from granting leaſes for a longer period than ten years, reſcinded.

II. Section II, Regulation XLIV, 1793; Section II, Regulation L, 1795; and Clauſe Second, Section II, Regulation XLVII, 1803, by which the proprietors of land, paying revenue to Government, are precluded from granting leaſes for a period exceeding ten years, are hereby reſcinded; and proprietors of lands are declared competent to grant leaſes for any period which they may deem moſt convenient to themſelves and tenants, and moſt conducive to the improvement of their eſtates.

Certain parts of Regulation VIII, 1793, and Regulation IV, 1794, reſpecting forms of pottahs and engagements for rent reſcinded; and proprietors declared competent to grant leaſes and receive engagements in ſuch forms as may be convenient to the parties.

III. Such parts of Regulation VIII, 1793, and of Regulation IV, 1794, as require that the proprietors of land ſhall prepare forms of pottahs, and that ſuch forms ſhall be reviſed by the collectors, and which declare that engagements for rent contracted in any other mode than that preſcribed by the regulations in queſtion, ſhall be deemed to be invalid, are likewiſe hereby reſcinded: And the proprietors of land ſhall henceforward be conſidered competent to grant leaſes to their dependent talookdars, under-farmers and reyets, and to receive correſpondent engagements for the payment of rent from each of thoſe claſſes, or any other claſſes of tenants, according to ſuch form as the contracting parties may deem moſt convenient and moſt conducive to their reſpective intereſts: Provided, however, that nothing herein contained ſhall be conſtrued to ſanction or legalize the impoſition of arbitrary or indefinite ceſſes, whether under the denomination of abwaub, muthote, or any other denomination. All ſtipulations or reſervations of that nature ſhall be adjudged by the courts of judicature to be null and void: But the courts ſhall notwithſtanding maintain and give effect to the definite clauſes of the engagements contrac-

Such rule not to legalize ſtipulations for arbitrary or indefinite ceſſes, which are to be adjudged null and void, but without vitiating the definite clauſes of the engagements.

ted between the parties, or in other words, enforce payment of ſuch ſums as may have been ſpecifically agreed upon between them.

No perſon attaching lands on the part of Government or purchaſing at public ſales, entitled to annul exiſting leaſes within the year on the grounds of colluſion without a judicial deciſion on ſummary ſuits.

IV. Section V, Regulation XLIV, 1793; Section V, Regulation L, 1795; and Section V, Regulation XLVII, 1803, contain proviſions for annulling, in the caſe of public ſales, all engagements which may have been contracted between the proprietor of the lands and his under-tenants; and for empowering the purchaſer to collect according to the eſtabliſhed uſages and rates of the pergunnah or diſtrict in which the land may be ſold: Clauſe Third, Section XXIII, Regulation VII, 1799; Section XXIV, Regulation V, 1800; Section IX, Regulation I, 1801; Section V, Regulation XLVII, 1803; at the ſame time contain proviſions for ſuſpending the annulment of leaſes, ſuppoſing the ſale to have taken place after the expiration of the ſecond month of the Bengal or Fuſſily year, until the cloſe of the year, except in caſes in which ſuch leaſes may appear to the officers deputed to attach or manage them on the part of Government, or to the purchaſers at the public ſales, to be obviouſly colluſive. In addition to theſe laſt mentioned proviſions, it is hereby declared, that neither any perſon deputed to attach lands on the part of Government, nor purchaſers at the public ſales, ſhall be deemed entitled to annul exiſting leaſes within the year, in which the attachment or ſale may have taken place, on the ground that ſuch leaſes, were evidently colluſive without a deciſion to that effect in a court of judicature; the caſe to be tried as a ſummary ſuit under Regulation VII, 1799.

Rules as to the rates at which purchaſers of lands may collect during the year in which the ſale takes place, in caſes in which leaſes may be cancelled.

V. By Section V, Regulation XLIV, 1793; Section V, Regulation L, 1795; and Section V, Regulation XLVII, 1803, already cited, it is provided, that in caſes in which leaſes may be cancelled on the occaſion of public ſales, made for the recovery of arrears of aſſeſſment, the purchaſer ſhall be entitled to collect during the year in which the ſale took place, whatever the former proprietor would have been entitled to receive, “ ac-

" cording to the eſtabliſhed uſages and rates of the pergunnah, " or diſtrict in which ſuch lands may be ſituated." There being however reaſon to believe that the pergunnah rates are in many inſtances become very uncertain, the following rules ſhall be obſerved on all occaſions of that nature.

Eſtabliſhed pergunnah rates where ſuch exiſt, ſhall determine the amount to be collected by Government officers or purchaſers.

VI. If any known eſtabliſhed pergunnah rates ſhall exiſt, the ſame ſhall ſerve to determine the amount of the rent, which ſhould be received by perſons deputed to attach the lands on the part of Government, or by the purchaſers at the public ſales.

Rules where no eſtabliſhed pergunnah rates exiſt.

VII. In caſes, in which no eſtabliſhed rates of the pergunnah, or local diviſion of the country may be known, pottahs ſhall be granted, and the collections made, according to the rate payable for land of a ſimilar deſcription in the places adjacent; but if the leaſes and pottahs of the tenants of an eſtate generally which may conſiſt of an entire village or other local diviſion, be liable to be cancelled under the rules above noticed; new pottahs ſhall be granted, and the collections made at rates not exceeding the higheſt rate paid for the ſame land in any one year within the period of the three laſt years antecedent to the period at which the leaſes may be cancelled.

What allowances to be made in computing the rates payable by ryots &c. in the caſe of dependent talooks.

VIII. In the caſe of a dependent talookdar, if the rent of the lands be computed according to the rates payable by ryots or cultivators, for land of a ſimilar quality and deſcription, a deduction ſhall be allowed from the groſs rent in the adjuſtment of the jumma of ſuch dependent talook at the rate of ten per cent for the talookdar's profit or income, over and above a reaſonable allowance for charges of collection according to the extent of the talook.

No cultivator or tenant liable to pay enhanced rent unleſs under written engagements or

IX. By the former and preſent regulations, perſons purchaſing land at the public ſales, are competent under certain reſtrictions to annul engagements contracted between the late proprietor of the lands and his under tenants. But it is hereby declared, that no cultivator or tenant of land ſhall be liable to pay an enhanced rent, though ſubject to enhancement under ſubſiſting regulations, unleſs written engagements for ſuch enhanced rent have been entered into by the parties, or a formal written notice have been ſerved on ſuch cultivator or tenant at the ſeaſon of cultivation: viz. on or before the month of Jeth, notifying the ſpecific rent, under the landholders right of enhancing it, to which he will be ſubject for the enſuing Fuſſily, or for the current Bengal year.

notice ſerved upon him at the ſeaſon of cultivation.

X. Unleſs ſuch notification be duly ſerved, no greater rent ſhall be exigible by proceſs of diſtreſs or confinement of perſon, nor recoverable by ſuit in court, than the cultivator or tenant was bound to pay under his previous engagements: and if more be levied from him, he ſhall be entitled to a refund of the exceſs with damages, on proof of the circumſtances before a court of juſtice. In all practicable caſes the required notification ſhall be ſerved perſonally on the tenant: but if he ſhall abſcond or conceal himſelf, ſo that it cannot be ſerved perſonally upon him, it ſhall be affixed at his uſual place of reſidence; which latter proceſs ſhall in ſuch caſe be deemed and taken to be a ſufficient ſervice of the notification in queſtion.

Cultivator not ſerved with ſuch notice, entitled to a refund of any exceſs beyond the amount of his previous engagements.

How ſuch notices are to be ſerved.

XI. The proviſions contained in the preceding Sections ſhall be conſidered equally applicable to ſequeſtrators on the part of Government, to managers on the part of the court of wards, and to farmers, whenever eſtates or portions of eſtates, may be let to farm under the authority of the Board of Revenue or Board of Commiſſioners.

The preceding proviſions applicable to ſequeſtrators, managers, and farmers holding under the authority of the Board of Revenue or Board of Commiſſioners.

XII. The rules contained in the exiſting regulations for the provinces of Bengal, Behar, Oriſſa and Benares, and for the Ceded and Conquered Provinces, reſpecting diſtreſs and ſale for the recovery of arrears of rent, are hereby declared ſubject to the following modifications.

Rules reſpecting diſtreſs and ſale for recovery of arrears, modified.

XIII.

No proceſs for diſtreſs or ſale to be legal, unleſs the tenant ſhall be ſerved with a written demand, accompanied with a jumma waſſil baukee.

XIII. Whenever any zemindar, independent talookdar, or other actual proprietor of land, or any perſon farming land directly from Government, ſhall be deſirous of diſtraining the property of his tenant, with a view to the recovery of an arrear of rent; ſuch zemindar or other perſon ſhall either previouſly or at the time of the diſtreſs, ſerve the ſaid tenant with a written demand for the amount of it, accompanied with a jumma waſſil baukee, exhibiting the grounds on which the demand is ſo made; and no proceſs for the diſtreſs and ſale of property on account of arrears of rent ſhall be deemed legal and valid, unleſs the rule here preſcribed ſhall have been duly obſerved. In all practicable caſes, the preſcribed demand and jumma waſſil baukee account, ſhall be ſerved perſonally on the tenant; but if he abſcond or conceal himſelf, ſo that they cannot be ſerved perſonally upon him, they ſhall be affixed at his uſual place of reſidence; which latter proceſs ſhall in ſuch caſe be deemed and taken to be a ſufficient ſervice of the demand and account in queſtion.

Ploughs, &c. and cattle employed in agriculture, not to be diſtrained or ſold

XIV. Ploughs and other implements of huſbandry, bullocks, and other cattle employed in agriculture, together with the tools of artiſans, ſhall not be ſubject to diſtreſs and ſale on account of arrears of rent, although the tenant, from whom ſuch arrears may be demanded, ſhall not poſſeſs other property ſufficient to make good the arrear.

Attachment to be withdrawn, and diſtrained property reſtored, ſhould a tenant who may not have given ſecurity, diſpute the demand and enter into a bond with ſecurity, binding himſelf to inſtitute a ſuit within fifteen days.

XV. If an attachment for arrears ſhall have been iſſued againſt the property of any tenant of any deſcription, whether denominated under-farmer, ryot, or dependent talookdar, who may not have given ſecurity for the payment of his rent or revenue, and ſuch tenant ſhall diſpute the juſtneſs of the demand, and ſhall within five days, reckoning from the day following the attachment, or if the property attached, conſiſt of crops, or other ungathered products of the earth, within five days, calculating from the day following the date on which ſuch crops or products may be ſtored, enter into a bond before the judge or collector of the zillah, the cauzy of the pergunnah, the commiſſioner, or other perſon veſted with power to ſell diſtrained property, or before the diſtrainer himſelf, with good ſecurity, binding himſelf to inſtitute a ſuit in the dewanny adawlut of the zillah within fifteen days from the date of ſuch bond, for the trial of the demand, and to pay whatever ſum may be adjudged to be due from him, with intereſt upon it at the rate of twelve per cent per annum, to be calculated from the date on which the arrear that may be awarded became payable to the date of the decree, with all coſts of ſuit, the diſtrainer ſhall immediately withdraw the attachment, and reſtore the property to the defaulter. If the ſtated defaulter ſhall fail to execute the bond within the period preſcribed, the diſtrainer ſhall be at liberty to keep the property under attachment, and to cauſe it to be ſold in the manner hereafter directed, unleſs the arrear, with the expences of the attachment, ſhall be diſcharged previouſly to the day of ſale. If the defaulter ſhall execute the bond, but omit to inſtitute the ſuit in the dewanny adawlut, within the time preſcribed, the diſtrainer ſhall demand payment of the arrear from the ſurety; and in the event of his not diſcharging the amount immediately, the diſtrainer ſhall be at liberty to iſſue an attachment againſt the perſonal property both of the ſurety and the defaulter, or the perſonal property of either of them, excepting always the articles ſpecified in Section XIV, of this regulation, and to cauſe it to be ſold, unleſs the arrear and the expenſes of the attachment ſhall be diſcharged previouſly to the day of ſale.

Attachment ſhall continue, and the property be ſold, ſhould the tenant fail to execute ſuch bond or pay the arrears.

Should he execute the bond, but fail to inſtitute a ſuit his ſecurity may be proceeded againſt.

XVI. If an attachment for arrears ſhall have been iſſued againſt any tenant, who may have given ſecurity for the payment of his rent or revenue, and ſuch tenant ſhall diſpute the juſtneſs of the demand, and the ſurety within five days, reckoning from the day following the day of the attachment, or if the property attached ſhall conſiſt of crops or other ungathered products of the earth, within five days, calculating from the day following the date

Under what rules attachment ſhall be withdrawn in the caſe of tenants who have given ſecurity diſputing the juſtneſs of the demand.

date on which ſuch crops or products may be ſtored, ſhall deliver a writing, atteſted by two witneſſes, to the judge of the dewanny adawlut, the collector of the diſtrict, the cauzy of the pergunnah, the commiſſioner or other perſon veſted with power to ſell diſtrained property, or to the diſtrainer himſelf, engaging that either he or the ſtated defaulter will inſtitute a ſuit in the dewanny adawlut within fifteen days from the date of ſuch writing, to try the demand, and to pay the amount that may be adjudged againſt them, with intereſt upon it at the rate of twelve per cent per annum, to be calculated from the date on which the arrear that may be awarded, became payable, to the date of the decree, with all coſts of ſuit, the diſtrainer ſhall immediately withdraw the attachment. If the ſurety ſhall fail to execute ſuch writing within the preſcribed period, the diſtrainer ſhall continue the property under attachment, and cauſe it to be ſold in the manner hereafter directed, unleſs the arrear and the expenſes attending the attachment ſhall be diſcharged previouſly to the day of ſale. If the ſurety ſhall execute the writing, but fail to have the ſuit inſtituted either in his own name, or that of the defaulter, within the abovementioned period of fifteen days, the diſtrainer ſhall demand payment of the arrears from the ſurety, and in the event of his omitting to diſcharge the amount immediately, the diſtrainer ſhall be at liberty to iſſue an attachment againſt the perſonal property both of the ſurety and the defaulter, or the perſonal property of either of them, excepting always the articles ſpecified in Section XIV, of this regulation, and to cauſe it to be ſold in the manner hereafter directed; unleſs the arrears and the expenſe attending the attachment ſhall be diſcharged before the day of ſale. If the ſurety of the ſtated defaulter ſhall refuſe or omit to enter into the writing required, or if he ſhall happen to be at a diſtance, ſo as to render it impoſſible for him to execute ſuch writing within the preſcribed time, and ſuch defaulter in either of theſe caſes ſhall give the ſecurity required from the defaulters, ſpecified in Section XV, of this regulation, the diſtrainer ſhall withdraw the attachment; and the rules contained in the

foregoing

Property to continue under attachment ſhould the ſurety fail to execute the neceſſary writing.

Should the ſurety fail to have a ſuit inſtituted, the diſtrainer may attach both his and the defaulter's property.

The rules contained in Section XVI, declared to be applicable, ſhould the required writing not be executed by the ſurety, and the defaulter himſelf give the required ſecurity.

foregoing ſection, ſhall in every reſpect be conſidered applicable to the parties concerned.

Perſons unable to give ſufficient ſecurity may inſtitute a ſuit in the court to try the demand or recover damages.

XVII. Should any ryot, farmer, or dependent talookdar, whoſe property may have been diſtrained, be unable to give ſecurity to the amount of the demand, together with intereſt upon it, at the rate of one rupee per menſem, with coſts of ſuit and expenſes of attachment, he will of courſe be at liberty to inſtitute a ſuit againſt the diſtrainer in the dewanny adawlut, to try the demand, and for the recovery of damages on account of any injury which he may have ſuſtained by the illicit ſale of his property.

Diſtrained property to be appraiſed previouſly to ſale, and a certificate furniſhed to the defaulter.

XVIII. Whenever property ſhall have been diſtrained with a view to the ſale of it, for the recovery of arrears of rent, it ſhall be appraiſed previouſly to ſuch ſale, by perſons converſant with the purchaſe and ſale of articles of the quality and deſcription of thoſe ſo diſtrained, and a certificate of the appraiſement ſhall be furniſhed by the appraiſers under their ſignatures, which ſhall be communicated to the tenant at leaſt three days before the ſale.

Sale to be poſtponed ſhould the price offered be leſs than the appraiſed value.

XIX. If at the time of ſale, a price ſhall not be offered for the diſtrained property equal to its appraiſed value, the ſale ſhall be poſtponed until the enſuing market day, when the property ſhall be actually ſold, whatever price (not leſs than the amount bidden on the firſt day of ſale) may be offered for it.

Suits under this regulation to be decided on ſummary enquiry under Regulation VII, 1799.

XX. Suits which may be inſtituted under the preſent regulation, ſhall be decided on a ſummary enquiry, under the proviſions contained in Regulation VII, 1799.

All ſuch cauſes to be referred immediately to the collectors for report under Section XIII, Regulation VIII, 1794.

XXI. In order, likewiſe further to expedite the deciſion on ſuch cauſes, the whole of them ſhall be referred as ſoon as inſtituted to the collectors for their report under the rule contained in Section XIII, Regulation VIII, 1794.

XXII.

Collectors to furniſh periodical returns of the execution of the above mentioned duty.

XXII. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to obtain from the collectors ſuch periodical returns regarding the execution of the abovementioned duty, as may appear beſt calculated to ſatisfy thoſe Boards that no delay occurs in the performance of it.

Perſons diſſatisfied with ſummary deciſions, may inſtitute regular ſuits.

XXIII. Any perſon who may be diſſatisfied with the judgments which may be paſſed under the ſummary enquiries abovementioned, ſhall be at liberty on the principle of the rules eſtabliſhed by the exiſting regulations, to inſtitute a regular ſuit for the more formal inveſtigation of the merits of the caſe.

Sales of entire eſtates not liable to be annulled by the courts, on the grounds of ſome of the ſharers not having obtained poſſeſſion and, the deciſion on the expediency of ſelling entire eſtates or particular parts veſted in the Boards reſpectively.

XXIV. It is hereby declared, that ſales made of entire eſtates for the recovery of arrears of public aſſeſſment, are not liable to be annulled by the courts of judicature, on the ground that one or more of the ſharers may not have obtained poſſeſſion of his or their intereſt in the property. The conſideration of and deciſion on the expediency of ſelling the entire eſtate, or of diſpoſing in the firſt inſtance of any particular part of it, is hereby declared to reſide in the Board of Revenue, and Board of Commiſſioners reſpectively, ſubject to the control exerciſed by the Government, in its executive capacity, in matters connected with the public revenue.

Sales not liable to be annulled on the ground of the proceeds having materially exceeded the arrears due.

XXV. No means exiſting, by which any certain or accurate computation can be formed à priori of the real value of any eſtate, or portion of eſtate, which may be expoſed to ſale for the recovery of arrears of public aſſeſſment, or of the adequacy of the price which may be offered for ſuch eſtate, or portion of eſtate; It is hereby declared, that ſales made at public auction, for that purpoſe are not liable to be annulled by the courts of judicature on the ground that the proceeds of the ſales have materially exceeded the amount of the arrears due from the proprietor of the lands to Government. The Board of Revenue and Board of Commiſſioners will be guided in caſes of that nature by their own diſcretion; ſubject of courſe to any inſtructions with which they may at any time be furniſhed by the Governor General in Council.

The judges declared competent to appoint managers of joint undivided eſtates on ſufficient cauſe ſhewn.

XXVI. In convenience to the public and injury to private rights having been experienced in certain caſes from diſputes ſubſiſting among the proprietors of joint undivided eſtates, it is hereby enacted, that whenever ſufficient cauſe ſhall be ſhewn by the revenue authorites, or by any of the individuals holding an intereſt in ſuch eſtates for the interpoſition of the courts of judicature, it ſhall be competent to the zillah and city judges to appoint a perſon, duly qualified and under proper ſecurity to manage the eſtate, that is to collect the rents, and diſcharge the public revenue, and provide for the cultivation and future improvement of the eſtate: Provided however, that if the revenue authorities or any of the individuals holding an intereſt in the eſtate ſhall be diſſatisfied with the ſelection made by the zillah or city judge, of the individual to perform the duty in queſtion, it ſhall be competent for them to repreſent their objections to the provincial court of appeal, which court will confirm the manager choſen, or order the judge to ſelect and appoint another perſon, according as on conſideration of the circumſtances of the caſe may appear to them reaſonable and proper.

Objections againſt the perſon ſo appointed to be repreſented to the provincial courts.

Court may be moved for the removal of ſuch managers ſhould their conduct be unſatisfactory.

XXVII. In like manner ſhould the authorities aforeſaid or any individual holding an intereſt in the eſtate be at any ſubſequent time diſſatisfied with the conduct of the manager, it ſhall be competent for them or him to repreſent the circumſtances of the caſe to the zillah or city judge, and to move the court for the removal of the ſaid manager: and ſhould thoſe authorities or perſons be diſſatisfied with the orders which may be paſſed on the ſubject by the zillah or city judge, it ſhall be competent for them to bring the caſe before the provincial court of appeal, which court will determine on the propriety of removing the manager or otherwiſe, as may appear to them to be right and proper.

Such parts of the regulations, as render landholders liable to pay a penalty of twelve per cent per annum, in addition to the eſtabliſhed charge of intereſt, reſcinded.

XXVIII. *Firſt.* Under the exiſting regulations, proprietors and farmers of eſtates paying revenue directly to Government, are required to diſcharge the inſtalments on account of each month, on or before the firſt day of the following month; and ſuch proprietors and farmers are liable to the payment of intereſt at the rate of twelve per cent per annum, on any arrears which may be due from them after the expiration of that period: By the rules in force likewiſe in the provinces of Bengal, Behar, Oriſſa, and Benares, the ſaid zemindars, and farmers are liable to the payment, at the diſcretion of the Board of Revenue, and Board of Commiſſioners, of a further penalty at the rate of twelve per cent per annum on the arrears due from them reſpectively. Inconvenience having however been experienced from the exiſtence of the complex demand of intereſt and penalty, ſuch parts of Section II, Regulation I, 1801, and of any other regulations as render the zemindars, and ſudder farmers, liable to a penalty of twelve per cent per annum in addition to the eſtabliſhed charge of intereſt, are hereby reſcinded.

Penalty revived
by Sect 8 Regn
27 1824.

Landholders failing to diſcharge the monthly inſtalments ſhall be charged with intereſt at twelve per cent per annum, unleſs remitted by the Boards reſpectively.

Second. In caſes, in which the proprietors and farmers of land ſhall fail to diſcharge the inſtalments of each ſucceeding month, on or before the firſt of the month following, they ſhall uniformly ſtand charged on the public accounts with intereſt from that date at the rate of twelve per cent per annum, nor ſhall it be competent for the collectors to remit any part of that demand by their own authority. Provided however, that if the Board of Revenue, and Board of Commiſſioners, ſhall ſee any ſpecial reaſon, in conſequence of reports which may be received by them from the collectors for remitting the intereſt, thoſe authorities ſhall be competent to order it to be relinquiſhed accordingly.

The Boards ſhall obtain periodical accounts of ſuch intereſt to be compared with the towjees.

Third. It ſhall be the duty of the Board of Revenue, and Board of Commiſſioners, to obtain ſuch periodical accounts of the intereſt, as may enable them, on comparing the ſaid accounts with the monthly towjees, not only to judge whether the demand for intereſt has been properly adjuſted, but likewiſe to aſcertain the amount realized on that account, and the amount which may be at any time outſtanding. On examination of the accounts required, the Board of Revenue, and Board of Commiſſioners, will of courſe furniſh the collectors with any inſtructions, which the nature and circumſtances of the caſe may appear to require.

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A.D. 1812. REGULATION VI.

A REGULATION *for altering the form of bond, inſerted in Clauſe Fifth, Section III, Regulation III,* 1811.—PASSED *by the Right Honorable the Governor General in Council, on the 2d May* 1812; *correſponding with the 22d Byſaak* 1219 *Bengal era; the 6th Byſaak* 1219 *Fuſſily; the 22d Byſaak* 1219 *Willaity; the 6th Byſaak* 1869 *Sumbut; and the 19th Rubbius-Sanee* 1227 *Higeree.*

Preamble.

WHEREAS Clauſe Fifth, Section III, Regulation III, 1811, contains the form of bond, to be executed by European Foreigners and Americans, for the delivery of the cargoes of the ſhips belonging to thoſe nations at a port in the country to which the ſaid ſhips may belong; And whereas it has been deemed adviſable to alter the form of the abovementioned bond, the following rule has been paſſed, to be in force from the period of its promulgation in the provinces immediately dependent on the Preſidency of Fort William.

Form of bond to be obſerved in lieu of that inſerted in Clauſe Fifth, Section III, Regulation III, 1811.

II. The following form of bond ſhall be obſerved, inſtead of that inſerted in Clauſe Fifth, Section III, Regulation III, 1811.

Form of bond.

KNOW all Men by theſe preſents, that we —————— —————— are jointly and ſeverally held and firmly bound to the United Company of Merchants of England trading to the Eaſt Indies, in the ſum of Sicca Rupees ——— to be paid to the ſaid United Company, their certain attorney, ſucceſſors, or aſſigns; for which payment well and truly to be made, we bind ourſelves and each of us, himſelf, our and each of our heirs, executors and adminiſtrators, firmly by theſe preſents, ſealed with our ſeals, this ——— day of ——— in the year of our Lord ———.

WHEREAS the Directors of the United Company of Merchants of England trading to the Eaſt Indies, by virtue of the powers by law to them given, did frame certain regulations for the trade to be carried on with the Britiſh poſſeſſions in India by the ſhips of nations in amity with his Majeſty, and thereby, among other things, directed, that foreign European ſhips belonging to nations having no eſtabliſhments in the Eaſt Indies, and ſhips belonging to the United States of America ſhould not carry any of the articles exported by them from the ſaid Britiſh territories to any port or place except the ports or places of their reſpective countries; and that, upon ſuch ſhips clearing out of the ports of the ſaid Britiſh territories for their reſpective countries, the clearance to be granted to them ſhould be directed to the country to which the ſhip belonged and to no other whatſoever, and that bonds ſhould be taken, with ſecurity, of perſons reſident within the Britiſh territories, conditioned, that the cargoes of the ſaid ſhips exported from the Britiſh territories ſhould be delivered at the ports for which their clearances were made: and whereas the above bounden ——— of the ſhip ——— belonging to the port of ——— in the dominion of ——— and now lying in the Hooghly river, laden with a cargo conſiſting of ——— has applied to the collector of cuſtoms at the port of ——— for a port clearance to the port of ——— within the dominions of the ſaid ——— which is intended to be granted to him. Now the condition of the above written obligation is ſuch, that, if the goods herein before mentioned, and every part thereof ſhall be really and truly exported to, and landed at the ſaid port of ——————————— and if no part thereof ſhall be carried to and landed at any other place whatſoever, and if within ——————————— months from the day of the date of the above written obligation, there ſhall be brought and produced to the Governor General in Council of Fort William in Bengal for the time being, or to ſuch other perſon at Fort William aforeſaid, as the ſaid Governor General in Council ſhall appoint to receive and examine the ſame, a certificate ſigned by the Britiſh conſul to be reſident at the ſaid port of ——————————— or, if no Britiſh conſul ſhall be reſident at the ſaid port of ——— then a certificate ſigned by two Britiſh merchants reſident at the ſaid port of ——————————— certifiying that the ſaid goods have been there landed, or if there ſhall be made full and ſufficient proof to the ſatisfaction of the ſaid Governor General in Council, or ſuch perſon at Fort William aforeſaid, as the ſaid Governor General in Council ſhall appoint to receive and examine ſuch proof, that the ſaid goods have been taken by enemies, or periſhed in the ſeas, then the above written obligation to be void, otherwiſe to be and remain in full force and effect.

A. D. 1812. REGULATION VII.

A REGULATION *for reſcinding Regulations* XV, 1810, *and* IV, 1811 *:* — PASSED *by the Governor General in Council, on the* 9*th May* 1812; *correſponding with the* 28*th Byſaak* 1219 *Bengal era*; *the* 13*th Byſaak* 1219 *Fuſſily; the* 29*th Byſaak* 1219 *Willaity*; *the* 13*th Byſaak* 1869 *Sumbut; and the* 26*th Rubbi-us-Sanee* 1227 *Higeree.*

WHEREAS Regulations XV, 1810, and IV, 1811, contain proviſions for levying a tax on houſes in certain cities and towns in the provinces of Bengal, Behar, Oriſſa, and Benares; and whereas the Governor General in Council is anxious to promote the eaſe and convenience of the inhabitants generally of thoſe cities and towns by relieving them from the payment of the abovementioned tax; the following rule has been paſſed, to be immediately in force in the provinces of Bengal, Behar, Oriſſa, and Benares. Preamble.

II.

Regulation XV, 1810, and Regulation IV, 1811, reſcinded.

II. Regulation XV, 1810, and Regulation IV, 1811, are hereby reſcinded.

A. D. 1812. REGULATION VIII.

A REGULATION *for declaring the manufacture of ſaltpetre, to be a monopoly on the part of Government; for preventing the illicit manufacture of ſaltpetre; and for regulating the conduct of the agents and all perſons employed in the proviſion of that article, in the provinces of Bengal, Behar, Oriſſa and Benares.*—PASSED *by the Governor General in Council, on the 30th May 1812; correſponding with the 18th Jeyte 1219 Bengal era; the 4th Jeyte 1219 Fuſſily; the 19th Jeyte 1219 Willaity; the 4th Jeyte 1869 Sumbut; and the 18th Jumudi-ul-Awul 1227 Higeree.*

Preamble.

THE Governor General in Council deeming it to be expedient, that the manufacture of ſaltpetre ſhould be declared to be a monopoly on the part of Government, in the provinces of Bengal, Behar, Oriſſa and Benares, with the view of ſecuring to Government, all the ſaltpetre, the produce of the ſaid provinces; has been pleaſed to enact the following rules, to be in force from and after the firſt day of October next.

II.

Saltpetre not to be manufactured without the ſanction of Government, under penalty of confiſcation.

II. Saltpetre ſhall not be manufactured in the provinces of Bengal, Behar, Oriſſa and Benares, excepting on account of Government, or with their expreſs ſanction; and all ſaltpetre manufactured in breach of this prohibition ſhall be liable to ſeizure and confiſcation.

No perſon to be compelled to provide or manufacture ſaltpetre.

III. No perſon ſhall be compelled, under any pretence whatever, to engage in the proviſion or manufacture of ſaltpetre, either as a contractor, or as a nooneah, or in any other capacity; and any perſon, who may engage in the proviſion or manufacture of ſaltpetre, and may not chooſe to re-engage, ſhall be at liberty to relinquiſh the employment, after performing the engagements into which he may have entered, and to follow any other occupation he may think proper, without hindrance or moleſtation.

Perſons ſo compelled may inſtitute ſuits for the annulment of their contracts and for damages.

IV. *Firſt.* If an agent, the aſſiſtant to an agent, or any native officer employed under them in ſuperintending the manufacture of ſaltpetre, ſhall compel any perſon to receive advances, or to contract for, or engage in, the proviſion or manufacture of ſaltpetre, ſuch perſon will be of courſe at liberty to inſtitute a ſuit with a view to the annulment of ſuch contract or engagement, and to the recovery of any compenſation in the form of damages, to which he may deem himſelf entitled; and the judge of the dewanny adawlut before whom the ſaid ſuit may be tried, ſhall on proof thereof to his ſatisfaction adjudge the ſaid contract or engagement null and void, and direct the complainant to be diſcharged, and cauſe the advances, if any ſhould have been made, to be returned, and award ſuch coſts and damages as may appear to him proper.

Such ſuits to be decided on ſummary enquiry under the proviſions in Section XV, Regulation VII, 1799.

Second. Suits, which may be inſtituted under the foregoing rule ſhall be decided on a ſummary enquiry on the principle of the proviſions contained in Section XV, Regulation VII, 1799.

Contracts to be made in writing and ſecurity to be taken when practicable.

V. All contracts or engagements entered into for the proviſion of a ſpecific quantity of ſaltpetre, ſhall be made in writing, atteſted by at leaſt two credible witneſſes, and be ſigned by the agent, or any of his officers, whom he may empower to ſign them: one copy ſhall remain with the agent, or his officer, and the other ſhall be delivered to the party with whom the contract or engagement is made. In all practicable caſes, ſecurity ſhall be taken for the performance of ſuch contracts and engagements.

The agent may place peons over contractors or others failing in their engagements.

VI. When any contractor, nooneah, or other perſon ſhall fail to deliver within the ſtipulated periods, the quantity of ſaltpetre for which he may have engaged, the agent ſhall be at liberty to place peons over him, in order to expedite his deliveries.

Liſts of perſons employed in the proviſion of ſaltpetre to be fixed up at the thannahs, and copies to be furniſhed to the judge every three months.

VII. A liſt or regiſter of the perſons employed in the proviſion of ſaltpetre within the limits of each police thannah, ſhall be fixed up by the agent at each thannah. The liſt ſhall ſpecify the places of abode of the perſons ſo employed, and ſhall be corrected at the beginning of every month, according to the alterations that may have happened in the month preceding. The darogahs of the thannahs are to give immediate permiſſion for the exhibition of the liſts, and the agent ſhall tranſmit copies of them in the native languages once in every three months to the judge of the zillah.

All public officers and landholders, &c. required to afford aſſiſtance to the agent on his application.

VIII. All officers of Government, proprietors and farmers of land, talookdars, under-farmers and reyets, and their officers, agents and dependants, are hereby required, on application from the agents, or any of their officers, to afford every aſſiſtance in their power towards promoting the manufacture, which may be conſiſtent with the authority veſted in them, and with the general regulations.

Penalties for miſconduct of gomaſtahs or

IX. Gomaſtahs and all native ſervants and perſons employed

under

others employed under an agent in providing ſaltpetre.

under an agent for the proviſion of ſaltpetre, accepting of money from individuals for abetting or conniving at the alienation of ſaltpetre by the manufacturers, and others, writing falſe balances, or in any manner falſifying the Company's accounts, embezzling the property entruſted to them, or exacting money in any manner from any contractor, nooneah, or other perſon, employed or concerned in the proviſion or manufacture of ſaltpetre, to whom advances ſhall have been made, ſhall on conviction in the court of dewanny adawlut, to which they may be amenable, forfeit treble the amount of the value of the property or the money, which they may have embezzled, alienated, or exacted; and upon the circumſtances being repreſented by the Board of Trade to the Governor General in Council, he will, if it ſhall appear to him proper, order a proſecution to be inſtituted againſt the party or parties, and declare the offender incapable of ſerving Government in any capacity.

Penalties for perſons convicted of making advances for the illicit manufacture of ſaltpetre.

X. *Firſt.* Any perſons making advances for the illicit manufacture or delivery of ſaltpetre to contractors, nooneahs, or other perſons, employed in the proviſion or manufacture of ſaltpetre, or to the officers employed under the agents for the proviſion of ſaltpetre, or for purchaſing or obtaining ſaltpetre from ſuch contractors, nooneahs, perſons, or officers in an illicit manner, ſhall, on conviction, be liable to a fine of five ſicca rupees for every maund of ſuch ſaltpetre, for which advances ſhall have been ſo made, or which ſhall have been ſo purchaſed or obtained; and the ſaltpetre, if ſeized, ſhall be liable to confiſcation.

How ſuch penalties are to be enforced.

Second. If a perſon convicted of any of the offences ſpecified in the preceding clauſe, ſhall refuſe or omit to diſcharge the penalty which ſhall have been impoſed upon him, the judge ſhall proceed to levy the amount of the penalty by iſſuing the ſame proceſs againſt the property of the offender, as is preſcribed for enforcing other decrees of court. If property belonging to the offender ſufficient to make good the penalty ſhall not be found, the judge ſhall commit him, for ſuch period as he ſhall think proper, not exceeding ſix months to confinement in the jail for debtors.

XI. Saltpetre which may be confiſcated under Section II, of this regulation, ſhall be valued at two ſicca rupees per factory maund.

Confiſcated ſaltpetre to be valued at two rupees per maund.

XII. *Firſt.* All perſons who may give information to the agents for the proviſion of ſaltpetre, or to any of their officers, of ſaltpetre illegally manufactured, in depoſit, or in tranſit, in the provinces of Bengal, Behar, Oriſſa or Benares, provided ſuch ſaltpetre ſhall be attached and confiſcated in conſequence of their information, ſhall be entitled to a reward in the proportion of one-fifth of the valuation deſcribed in the preceding ſection; and a proportion of two-fifths of the ſaid valuation ſhall be divided equally between the agent and his officers, who were concerned in making the ſeizure, in ſuch proportion among the latter as the Board of Trade may in each inſtance direct.

Certain proportions of the proceeds of confiſcated ſalpetre to be paid to perſons giving information, and to the agent and the perſons who made the ſeizure.

Second. In caſe any attachment ſhall be made of ſuch ſaltpetre, by the officers of the agent, and not upon information, the perſons concerned in making ſuch attachment ſhall be entitled to a reward equal to two-fifths of the valuation of the ſaltpetre, deſcribed in Section XI, in ſuch proportion as the Board of Trade may in each inſtance direct. The agent ſhall be likewiſe entitled to one-fifth of the ſaid valuation.

How to be diſtributed when, the ſeizure was made without information given by individuals.

XIII. The boats, the bullocks, or other cattle, and the carriages on which ſaltpetre, manufactured or obtained in violation of the rules contained in this regulation, may be laden, ſhall be liable to ſeizure, confiſcation and ſale, and the proceeds of the ſale of ſuch boats, cattle, or carriage, ſhall be divided and diſtributed in the ſame proportions, and under the ſame rules as the value of the ſaltpetre confiſcated, as deſcribed in the preceding ſection.

Boats &c. on which confiſcated ſaltpetre may be laden ſhall be liable to confiſcation, and the proceeds to be diſtributed in the ſame carriages.

Confiſcation to be made by the Board of Trade, and the rewards to be paid as ſoon as poſſible.

XIV. All confiſcations ſhall be made and adjudged by the Board of Trade, and all perſons who may become entitled to eſtabliſhed rewards, in conſequence of ſuch confiſcations, ſhall be paid the ſame either by the Board of Trade, or by the agents for the proviſion of ſaltpetre, as ſoon as poſſible after the confiſcation of the ſaltpetre, boats, cattle or carriages, ſhall have been duly decided upon.

Cultivators of land employed in the ſaltpetre buſineſs ſubject to the ſame rules as others, except during the manufacturing ſeaſon, and Sections XX, and XXI, Regulation XXIX, 1793, and Regulation IX, 1801, declared applicable to perſons engaged in the manufacture on the part of Government.

XV. Perſons actually employed in the manufacture of ſaltpetre, cultivate or rent lands, are to pay according to their pottahs or engagements in the ſame manner as other reyets or renters, and under the ſame rules and regulations with exception only to the mode of demanding and enforcing payment of arrears during the manufacturing ſeaſon, which is to be conſidered as commencing on the firſt day of Kautic, and ending on the laſt day of Aſſar; and the whole of the rules contained in Sections XX and XXI, Regulation XXIX, 1793, and in Regulation IX, 1801, are hereby declared applicable to perſons engaged on the part of Government in the manufacture of ſaltpetre.

The agents, their aſſiſtants and native officers liable to be ſued for any breach of the regulations, under the rules in Section II, and III, Regulation VIII, 1806.

XVI. The agents and their aſſiſtants, as well as native officers and agents, are declared liable to be ſued in the dewanny adawlut for any breach of this regulation, or any other regulation, that may be paſſed and printed in the manner directed in Regulation XLI, 1793; but previouſly to the inſtitution of any ſuch ſuit againſt an agent or aſſiſtant, the rules contained in Sections II and III, Regulation VIII, 1806; ſhall on all occaſions be duly obſerved.

A. D. 1812. REGULATION IX.

A REGULATION *for modifying ſome of the rules before enacted regarding the ſettlement of the Ceded Provinces.*—PASSED *by the Governor General in Council on the* 11*th July* 1812; *correſponding with the* 29*th Aſſar* 1219 *Bengal era; the* 17*th Aſſar* 1219 *Fuſſily; the* 20*th Aſſar* 1219 *Willaity; the* 3*d Aſſar* 1869 *Sumbut; and the* 1*ſt Rajeeb* 1227 *Higeree.*

Preamble.

WHEREAS it was enacted in Section V, Regulation X, 1807, with reſpect to eſtates paying revenue to government in the provinces ceded by His Excellency the Nawaub Vizier, that the jumma which might be aſſeſſed upon them in the laſt year of the quartennial ſettlement, commencing with the Fuſſily year 1216, and terminating with the year 1219, ſhould remain fixed for ever, provided that the arrangement ſhould receive the ſanction of the Honorable the Court of Directors; and whereas the Honorable Court, in the exerciſe of the diſcretion expreſſly reſerved to them by the rule above cited, have not deemed it adviſable to confirm that arrangement, the following rules have been enacted, to be immediately in force in the ceded provinces.

Certain part of Section V, Regulation X, 1807, reſcinded.

II. Such part of Section V, Regulation X, 1807, as declares proviſionally that the jumma, which may be aſſeſſed on the eſtates of the zemindars and other actual proprietors of land in the ceded provinces, ſhall remain fixed for ever, is hereby reſcinded.

Declaration contained in Clauſe Fourth, Section XXIX, Regulation XXV, 1803, reſpecting a permanent ſettlement to be concluded after a period of ten years, to be in full force and effect.

III. It having been declared in Clauſe Fourth, Section XXIX, Regulation XXV, 1803, with reference to the ſettlement then depending, that at the end of ten years, a permanent ſettlement would be concluded with the ſame perſons, (if willing to engage, and if no others having a better claim ſhould come forward) for ſuch lands, as might be in a ſufficiently improved ſtate of cultivation to warrant the meaſure, on ſuch terms as government ſhould deem fair and equitable, the ſaid rule is hereby declared to be in full force and effect.

The Board of Commiſſioners to aſcertain what eſtates are in a ſtate of cultivation to warrant the concluſion of a permanent ſettlement, and rules for the formation of it.

IV. Under the proviſion contained in the preceding Section, it will of courſe be the duty of the Board of Commiſſioners to aſcertain what eſtates may be in a ſtate of cultivation to warrant the concluſion of a permanent ſettlement. In all ſuch caſes a reviſion ſhall be made of the jumma aſſeſſed on the ſaid eſtates, on the principle of leaving to the proprietors a net income of ten per cent on the jumma excluſive of charges of collection; and a ſettlement ſhall be concluded with the proprietors, ſubject of courſe to the approval of the Governor General in Council accordingly. The jumma which may be ſo fixed on the eſtates of the zemindars and other actual proprietors of land, ſhall in conformity to the tenor of the proclamation originally iſſued by the late Lieutenant Governor and Board of Commiſſioners, and afterwards incorporated into Regulation XXV, 1803, remain fixed for ever.

Report to be made to government of ſuch eſtates as may not be in a ſufficiently improved ſtate to admit the concluſion of a permanent ſettlement.

V. Under the rule contained in Section III of this regulation, it will likewiſe be the duty of the Board of Commiſſioners to ſubmit to the Governor General in Council, a report ſpecifying the eſtates, which may not appear to be yet in a ſufficiently improved ſtate of cultivation to admit of the concluſion of a permanent ſettlement, without a ſacrifice of thoſe reſources which may hereafter be derived from them for the exigencies of government. In all caſes of that nature, the Governor General in Council will determine, on conſideration of the information which may be furniſhed by the Board of Commiſſioners, whether the ſettlement of ſuch eſtates ſhall be made for the term of three or five years, or for any other period, according as may appear moſt conducive to the public intereſts.

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A. D. 1812. REGULATION X.

A REGULATION *for modifying ſome of the rules before enacted regarding the ſettlement of the Conquered Provinces, lying on the right and left banks of the River Jumna, of the territory ceded by His Highneſs the Peiſhwa in Bundlecund, and of the diſtrict of Cuttack.*—PASSED *by the Governor General in Council on the 11th July 1812; correſponding with the 29th Aſſar 1219 Bengal era; the 17th Aſſar 1219 Fuſſily; the 20th Aſſar 1219 Willaity; the 3d Aſſar 1869 Sumbut; and the 1ſt Rajeeb 1227 Higeree.*

Preamble. WHEREAS it was provided by Section VII, Regulation IX, 1805, in regard to eſtates paying revenue to Government in the conquered provinces, lying on the right and left banks of the river Jumna, that three temporary ſettlements, comprehending altogether a period of ten years, ſhould be made with the zemindars and other actual proprietors of land; and in regard to the territory ceded by His Highneſs the Peiſhwa in Bundlecund, that four temporary ſettlements ſhould be made, comprehending alſo a period of ten years, and that at the end of the ſaid ten years, expiring with the year 1222 Fuſſily; a permanent ſettlement ſhould be concluded with the ſame perſons, (if willing to engage, and if no other perſons having a better claim ſhould come forward,) for ſuch lands as might be in a ſufficiently improved ſtate of cultivation to warrant the meaſure, on ſuch terms as Government ſhould deem fair and equitable; and whereas the principle of the foregoing rules was likewiſe adopted in its fulleſt extent in the diſtrict of Cuttack, in ſo much, that it is declared in the 6th article of the proclamation, incorporated into Regulation XII, 1805, that at the end of the year 1222, a permanent ſettlement would be concluded with the zemindars and other actual proprietors of land, for ſuch lands as might be in a ſufficiently improved ſtate of cultivation to warrant the meaſure on ſuch terms as Government ſhould deem fair and equitable; And whereas it is enacted in Sections V and VI, Regulation X, 1807, that at the expiration of the temporary ſettlement then about to take place, the jumma, which might be aſſeſſed on the eſtates, in the laſt year of the ſettlement, ſhould remain fixed for ever, in caſe the arrangement ſhould receive the confirmation of the Honorable the Court of Directors; and whereas the Honorable Court, in the exerciſe of the diſcretion expreſſly reſerved to them by the rules above cited, have not deemed it adviſable to confirm that arrangement; the following rules have been enacted, to be immediately in force in the conquered provinces, lying on the right and left banks of the river Jumna; in the territory ceded by His Highneſs the Peiſhwa in Bundlecund; and in the diſtrict of Cuttack.

Certain parts of Sections V and VI, Regulation X, 1807, reſcinded.

II. Such parts of Sections V and VI, Regulation X, 1807, as declare proviſionally that the jumma, which may be aſſeſſed on the eſtates of the zemindars and other actual proprietors of lands, in the abovementioned territories, ſhall remain fixed for ever, is hereby reſcinded.

Declaration contained in Section VII, Regulation IX,

III. It having been declared in Section VII, Regulation IX, and Clauſe Sixth, Section IV, Regulation XII, 1805, with reference

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rence to the ſettlement then depending, that at the end of ten years, that is, at the expiration of the Fuſſily year 1222, a permanent ſettlement would be concluded with the ſame perſons, (if willing to engage, and if no others having a better claim ſhould come forward) for ſuch lands, as might be in a ſufficiently improved ſtate of cultivation to warrant the meaſure, on ſuch terms as Government ſhould deem fair and equitable, the ſaid rule is hereby declared to be in full force and effect.

and Clauſe Sixth, Section IV, Regulation XII, 1805, reſpecting a permanent ſettlement to be concluded after a period of ten years, to be in full force and effect.

IV. Under the proviſion contained in the preceding Section, it will of courſe be the duty of the Board of Commiſſioners and Board of Revenue, in the places ſubject to their control reſpectively, to aſcertain previouſly to the expiration of the year 1222, what eſtates may be in a ſtate of cultivation to warrant the concluſion of a permanent ſettlement. In all ſuch caſes a reviſion ſhall be made of the jumma aſſeſſed on the ſaid eſtates, on the principle of leaving to the proprietors a net income of ten per cent on the jumma, excluſive of charges of collection, and a ſettlement ſhall be concluded with the proprietors, ſubject of courſe to the approval of the Governor General in Council accordingly. The jumma which may be ſo fixed on the eſtates of the zemindars and other actual proprietors of land, ſhall in conformity to the tenor of the proclamations originally iſſued, and aſterwards incorporated into Regulations IX and XII, 1805, remain fixed for ever.

The Board of Commiſſioners and Board of Revenue reſpectively, to aſcertain what eſtates are in a ſtate of cultivation to warrant the concluſion of a permanent ſettlement, and rules for the formation of it.

V. Under the rule contained in Section III of this regulation, it will likewiſe be the duty of the Board of Commiſſioners and Board of Revenue, to ſubmit to the Governor General in Council, a report, ſpecifying the eſtates which may not appear to be yet in a ſufficiently improved ſtate of cultivation to admit of the concluſion of a permanent ſettlement, without a ſacrifice of thoſe reſources which may hereafter be derived from them for the exigencies of Government. In all caſes of that nature, the Governor General in Council will determine, on conſideration of the information which may be furniſhed by the Board of Commiſſioners and

Reports to be made to Government of ſuch eſtates as may not be in a ſufficiently improved ſtate to admit the concluſion of a permanent ſettlement.

Board of Revenue, whether the ſettlement of ſuch eſtates ſhall be made for the term of three or five years, or for any other period, according as may appear moſt conducive to the public intereſts.

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A. D. 1812. REGULATION XI.

A REGULATION *to empower the Governor General in Council to order the removal of emigrants from foreign countries, and their deſcendants from any place in the vicinity of the frontier of the state, from which they may have emigrated; and, in certain caſes, to place and detain any ſuch perſons in ſafe custody; and likewiſe to provide for the trial of emigrants and their deſcendants, who may excite disturbances in the countries from which they may have emigrated, and of perſons aiding them in the proſecution of ſuch attempts.*—Passed *by the Governor General in Council on the* 18*th July* 1812; *correſponding with the* 4*th Sawun* 1219 *Bengal era; the* 24*th Aſſar* 1219 *Fuſſily; the* 5*th Sawun* 1219 *Willaity; the* 9*th Aſſar* 1869 *Sumbut; and the* 8*th Rajeeb* 1227 *Higeree.*

Preamble. WHEREAS conſiderable bodies of perſons, being natives of Arracan and ordinarily denominated Muggs, have from time to time, emigrated from that country and eſtabliſhed themſelves in that part of the diſtrict of Chittagong, which lies contiguous to the Arracan frontier; And whereas, numbers of thoſe perſons or of their deſcendants, abuſing the protection, which had been afforded to them in the Britiſh territories, have excited diſturbances and even levied war in the country of Arracan againſt the Government of Ava, of which ſtate Arracan is now a dependancy, and have conducted themſelves in a manner manifeſtly tending to diſturb the relations of amity, which ſubſiſt between the Britiſh Government, and the Government of Ava; And whereas, it is in conſequence neceſſary that the Governor General in Council ſhould poſſeſs legal powers to remove the ſaid bodies of emigrants and their deſcendants from the frontier of the territory of Arracan, or any other bodies of aliens or their deſcendants from the vicinity of the country, from which they may have emigrated, and likewiſe to detain in confinement any of thoſe perſons, or any other individuals, being natives of foreign countries or their deſcendants, for offences of the above nature actually committed by them in the territories of the ſtate from which they may have emigrated; And whereas, it is neceſſary to make proviſion for the trial of perſons committing, or aiding in the commiſſion of the ſaid offences; the following rules have been paſſed, to be in force from the period of their promulgation throughout the territories immediately dependant on the Preſidency of Fort William.

Caſes in which the Governor General in Council may order the removal of emigrants to ſuch parts of the country as he may deem moſt convenient.

II. Whenever the Governor General in Council upon due inveſtigation ſhall be ſatisfied, that the emigrants from Arracan, or emigrants from any other ſtate, who may have ſought an aſylum in the Britiſh territories, or the deſcendants of any of the ſaid emigrants ſhall have abuſed the protection afforded to them, by attempts to excite diſturbances in the ſtate from which they or their anceſtors may have emigrated, it ſhall be competent to the Governor General in Council to order the removal of thoſe perſons to ſuch other part or parts of the country, as may be judged moſt convenient for their future reſidence. In like manner it ſhall be competent to the Governor General in Council to order ſuch removal, whenever he may have grounds to be ſatisfied, that the reſidence of any body of aliens, or their deſcendants in the vicinity of the frontier of the country from which they or their anceſtors may have emigrated, is likely to cauſe any ſerious miſunderſtanding between that ſtate and the Britiſh Government.

Such emigrants allowed to diſpoſe of any property they may have acquired, or government may order real property not diſpoſed of at the period of removal, to be ſold, and the proceeds to be paid to the emigrants.

III. Whenever any body of emigrants, or any individuals belonging to ſuch body, ſhall be ordered to be removed from the part of the country, in which they may have been eſtabliſhed, they ſhall be allowed to diſpoſe of any property, which they may have acquired in ſuch manner as they may judge proper; provided however, that if they ſhall nevertheleſs retain the right to any real property at the period of their actual removal, it ſhall be competent to the Governor General in Council to order ſuch property to be ſold by public auction, under the ſuperintendence of the collector of the diſtrict. In that caſe, the net proceeds of the ſale, ſhall be duly paid to the perſon or perſons to whom the ſaid property belonged.

The Governor General in Council may in certain caſes, order the leaders or other emigrants to be apprehended and kept under reſtraint.

IV. In caſes in which the Governor General in Council may on due enquiry and mature deliberation be ſatisfied, that either the preſervation of the tranquillity of the Britiſh territories, or of the dominions of the allies of the Britiſh Government, or the maintenance of the relations of amity ſubſiſting between the Britiſh Government and other ſtates, require that any of the leaders or other perſons of the above deſcription, who may have committed the offences mentioned in Section II, of this regulation, ſhould be placed and detained under reſtraint, it ſhall be competent to the Governor General in Council to order any ſuch perſons, having committed any of the ſaid offences, but not otherwiſe, to be apprehended and committed to confinement at ſuch place and under the cuſtody of ſuch public officer, and detained in confinement for ſuch time as may be deemed by the Governor General in Council neceſſary for the public good.

Emigrants or their deſcendants exciting diſturbances in the countries, from which they may have emigrated to be tried, and if convicted, to be ſentenced to ſeven years impriſonment.

V. *Firſt.* Any perſons of the above deſcription, or their deſcendants, who, while living under the protection of the Britiſh Government, ſhall enter the country from which they or their anceſtors may have emigrated, or any other foreign country, and ſhall excite or attempt to excite diſturbances in the ſaid countries, ſhall be liable to be brought to trial for that offence before the court of circuit, and if convicted, ſhall be ſentenced to ſuffer impriſonment for the period of ſeven years.

Any perſons aiding or aſſiſting in attempts to excite ſuch diſturbances, liable to trial and ſimilar puniſhment.

Such ſentences may be mitigated in certain caſes, but no ſentence or order paſſed on any ſuch trials to preclude Government from the exerciſe of the powers veſted in it by Section IV.

Second. Any perſons, whether native Britiſh ſubjects, or aliens, who ſhall furniſh emigrants from foreign countries with any aſſiſtance either of men, money or arms, in proſecution of their attempts to excite diſturbances in the country from which they may have emigrated or in any other country, or ſhall otherwiſe aid ſuch aliens in the proſecution of their criminal deſign, ſhall be liable to be brought to trial for that offence before the court of circuit, and if convicted, ſhall be ſentenced to ſuffer impriſonment for the term of ſeven years: Provided however, that if the judge of circuit by whom the caſe may be tried, ſhall be of opinion that the puniſhment eſtabliſhed by this and the preceding clauſe, ſhould in any inſtance be mitigated, he ſhall ſubmit the proceedings held on the trial to the Nizamut Adawlut, who will recommend to the Governor General in Council ſuch alleviation of the preſcribed puniſhment, as they may judge proper: provided moreover that no ſentence or order, which may be paſſed on the trial of any perſons under the proviſions of the preſent regulation, ſhall be competent, or ſhall be conſtrued to preclude the Governor General in Council from the exerciſe of the power veſted in the Government, by Section IV of the ſaid regulation.

Recd - 52

A. D. 1812. REGULATION XII.

A REGULATION *to require that all law and money papers be written on ſtampt paper, or that the preſcribed ſtamp be affixed to them within ſixty-days from the date of their execution, on pain of not being afterwards received in evidence in any of the courts of Judicature.*—PASSED *by the Governor General in Council on the 25th July 1812; correſponding with the 11th Sawun 1219 Bengal era; the 1st Sawun 1219 Fuſſily; the 12th Sawun 1219 Willaity; the 1st Sawun 1869 Sumbut; and the 15th Rajeeb 1227 Higcree.*

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WHEREAS it is enacted by Clauſe Third, Section VI. Regulation VII, 1800, that any obligation, receipt, deed, or inſtrument which may not have been prepared on the preſcribed ſtampt paper, and which may be preſented to any collector after the lapſe of ſixty days from the execution thereof, with a penalty equal to ten times the amount of the ſtamp duty which would have been payable on ſuch obligation, receipt, deed, or inſtrument in the firſt inſtance, if it had been prepared on the preſcribed paper, ſhall be tranſmitted to the ſuperintendent of the ſtamp office for the purpoſe of being duly ſtampt; and whereas it will contribute to the improvement of the public reſources to require, that all law and money papers be executed in the firſt inſtance on ſtampt paper, or that the preſcribed ſtamp be affixed to them within a limited period after their execution, the following rules have been enacted to be in force from the period of their promulgation, in the provinces of Bengal, Behar, Oriſſa, and Benares.

Clauſe Third, Section VI, Regulation VII, 1800, ſhall remain in force until the 1ſt of November 1812.

II. Clauſe Third, Section VI, Regulation VII, 1800, which enacts that any obligation, receipt, deed or inſtrument, which may not have been prepared on the preſcribed ſtampt paper, and which may be preſented to any collector after the lapſe of ſixty-days from the execution thereof, with a penalty equal to ten times the amount of the ſtamp duty which would have been payable on ſuch obligation, receipt, deed, or inſtrument, in the firſt inſtance if it had been prepared on the preſcribed paper, ſhall be tranſmitted to the ſuperintendent of the ſtamp office for the purpoſe of being duly ſtampt, ſhall remain in force until the 1ſt of November 1812; correſponding with the 17th Cartick 1219 Bengal era: the 12th Cartick 1220 Fuſſily; the 18th Cartick 1220 Willaity; the 13th Cartick 1869 Sumbut; and the 20th Shawul 1227 Higeree.

At the expiration of the above period, no obligation or any other deed for the payment of money or conveyance of property, which may not have been executed or drawn on paper bearing the preſcribed ſtamp, or to which the preſcribed ſtamp may not have been affixed within ſixty-days from the date of it, to be received in evidence in any Court of Juditure.

At the expiration of that period, no obligation for the payment of money, nor any deed for the conveyance of property, nor generally any other inſtrument, which may not have been executed or drawn on paper bearing the preſcribed ſtamp, or to which the preſcribed ſtamp may not have been affixed within ſixty-days from the date of it, under the proviſion contained in Clauſe Second, Section VI, Regulation VII, 1800, ſhall be received in evidence in any court of judicature: provided however that this rule ſhall not be conſidered applicable to obligations for rent of land paying revenue to government or to any other kinds of deeds, which are not required to be written on ſtampt paper, by the regulations already enacted.

Exceptions.

Rules reſpecting inſtruments produced in a Court

III. *Firſt*. Inſtances having occurred of the fabrication of ſtamps which may not be eaſily diſcoverable by individuals, it is hereby enacted of Judicature, having a ſtamp appraently fabricated or forged.

ed that, if any inſtrument required to be written on ſtampt paper, ſhall be produced in a court of judicature, having a ſtamp apparently fabricated or forged, the judge before whom the document may be exhibited ſhall make the neceſſary enquiry, previouſly to admitting the ſaid inſtrument in evidence, to ſatisfy himſelf whether it bear the ſtamp of Government, or a fabricated ſtamp; and in the latter caſe, whether there be any grounds to believe that the perſon by whom the deed may have been exhibited, was privy to the forgery. Should the judge be ſatisfied that the ſtamp is a fabrication, and that the party producing it was privy to the fraud, the inſtrument in queſtion ſhall not be admitted in evidence. On the other hand, if he ſhall be convinced that the party producing it was himſelf impoſed upon, and had no knowledge of the fabrication, the judge ſhall furniſh the party with a certificate agreeably to the ſubjoined form addreſſed to the collector of the diſtrict, entitling him to have the proper and preſcribed ſtamp affixed to the deed at the ſtamp office, on condition of paying five times the amount of the eſtabliſhed ſtamp duty.

Certificate.

To the collector of

WHEREAS A. B. has this day produced before me a deed purporting to be *(recapitulation of its contents,)* and dated the , and whereas there appear grounds to believe that the ſaid deed has been ſtampt with a forged and fabricated ſtamp; and whereas from the enquiry made by me in conformity to the rule contained in Section III, Regulation XII, 1812, no reaſon appears to believe that the party, by whom the ſaid deed has been produced, was privy to the fraud, you are hereby authorized and required on receiving from the ſaid A. B. a ſum equal to five times the amount of the preſcribed ſtamp duty to tranſmit it to the ſuperintendent, in order [illegible]at the proper ſtamps may be affixed at his office, and at the treaſury to the deed in queſtion.

C. D. *judge of*

Date

Second. In caſes, in which the judge may be ſatisfied that the ſtamp is a fabrication, and that the party producing it was privy to the fraud, the judge ſhall cauſe a copy of the proceedings held on the enquiry made by him regarding that point, to be recorded in the office of the magiſtrate, who will proceed againſt the party, by whom the deed may have been exhibited, and all accomplices in the fraud in the manner preſcribed by the general laws in force, applicable to caſes of that deſcription.

Recd 12th

A. D. 1812. REGULATION XIII.

A REGULATION *for eſtabliſhing a duty on the iſſue of licenſes for the ſale or manufacture of ſpirituous liquors, intoxicating drugs, tauree, and putchwye.*— PASSED *by the Governor General in Council on the* 25*th July* 1812*; correſponding with the* 11*th Sawun* 1219 *Bengal era; the* 1*st Sawun* 1219 *Fuſſily; the* 12*th Sawun* 1219 *Willaity; the* 1*st Sawun* 1869 *Sumbut; and the* 15*th Rajeeb* 1227 *Higeree.*

Preamble.

WHEREAS previouſly to the enactment of Regulation VII, 1809, licenſes were iſſued for the ſale and manufacture of ſpirituous liquors and intoxicating drugs on ſtampt paper, ſubject to a duty at different rates: and whereas material inconvenience is at preſent experienced from the practice of obtaining licenſes and of relinquiſhing them after the expiration of only a ſhort period of time, the following rules have been enacted, to be in force throughout the provinces immediately depending on the Preſidency of Fort William, from the commencement of the enſuing Fuſſily, Willaity, and Bengal year reſpectively.

II. *Firſt.* The rules eſtabliſhed reſpecting the iſſue of licenſes for the manufacture and ſale of ſpirituous liquors, and for the

The rules reſpecting the iſſue of licenſes or the manu-

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facture and ſale of ſpirituous liquors, drugs, tauree, and putchwye, to remain in force, until the expiration of the preſent Fuſſily, Willaity, and Bengal year.

vend of intoxicating drugs, tauree, and putchwye, ſhall remain in force until the expiration of the preſent Fuſſily, Willaity, and Bengal year, in the diſtricts and places in which thoſe æras reſpectively are current.

On the expiration of the above periods, perſons, deſirous of taking out licenſes to pay, in addition to the daily tax, to which they may be ſubject, a ſum equal to the amount of ſuch daily tax for the period of ten days.

Second. On the expiration of the current Fuſſily, Willaity, and Bengal year reſpectively, perſons, who may be deſirous of taking out licenſes for the manufacture or ſale of ſpirituous liquors, or for the vend of intoxicating drugs, tauree, or putchwye, ſhall pay, in addition to the daily tax, to which they may be ſubject, according to the rates eſtabliſhed under the proviſions of the exiſting regulations, a ſum equal to the amount of ſuch daily tax for the period of ten days.

Collectors not to iſſue licenſes until the duty eſtabliſhed by this regulation ſhall be actually paid into the public treaſury.

Third. No licenſes ſhall be iſſued by the collectors, until the duty eſtabliſhed by the preceding clauſe, ſhall have been actually paid on account of Government into the public treaſury.

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A. D. 1812. REGULATION XIV.

A REGULATION *for modifying in certain caſes the rule contained in Section* II, *Regulation* V, 1812, *regarding the grant of leaſes by the proprietors of lands in the Ceded and Conquered Provinces to their tenants.* —PASSED *by the Governor General in Council on the* 31*ſt July* 1812; *correſponding with the* 17*th Sawun* 1219 *Bengal era; the* 7*th Sawun* 1219 *Fuſſily; the* 18*th Sawun* 1219 *Willaity; the* 8*th Sawun* 1869 *Sumbut; and the* 21*ſt Rajub* 1227 *Higeree.*

Preamble.

WHEREAS it is enacted by Section II, Regulation V, 1812, that proprietors of lands ſhall be competent to grant leaſes for any period, which they may deem moſt convenient to themſelves and tenants, and moſt conducive to the improvement of their eſtates; And whereas Regulations IX and X, 1812, contain rules under which the ſettlement, which had been made in perpetuity in the Ceded and Conquered Provinces, with the reſerve of the approval of the Honorable the Court of Directors, is ſubject to conſiderable modifications and reſtrictions; And whereas thoſe rules conſequently create a neceſſity for limiting the power granted by Section II, Regulation V, 1812, as above noticed; the following rules have been enacted to be immediately in force in the Ceded and Conquered Provinces, including the territory ceded by His Highneſs the Peiſhwa in Bundlecund, the diſtrict of Cuttack, and the pergunnahs formerly dependent on that diſtrict, but now annexed to the zillah of Midnapore.

No zemindar or proprietor ſhall grant leaſes for a term extending beyond the term of his own engagements with Government.

II. No zemindar or other proprietor of land in the Ceded and Conquered Provinces ſhall grant leaſes or fix the rent of any land tenure for a term exceeding ten years; or if the term of his own engagement with Government be leſs than ten years, extending beyond ſuch leſs term.

Every evaſion of this prohibition to be conſidered as an infringement of this rule, and leaſes ſo granted to be null and void.

III. Any evaſion of this prohibition by entering into ſeparate engagements or leaſes to take effect ſucceſſively, or by dating an engagement or leaſe on a day other than that on which it was actually executed, or by any other device, ſhall be conſidered as an infringement of it. And every leaſe or engagement fixing the rent, which has been or ſhall be concluded or granted in oppoſition to this prohibition, is declared to be null and void.

Subſiſting engagements not repugnant to theſe rules ſhall remain in force in caſes of diviſion or transfer of eſtates.

IV. When a diviſion of a joint eſtate ſhall be made, or the whole or a portion of an eſtate ſhall be transferred by ſale in diſcharge of decrees of court, or by private ſale, gift or other private transfer, the ſubſiſting leaſes and engagements if they be not repugnant to the rules preſcribed in the foregoing ſections, ſhall remain in force as provided by Sections III and IV, of Regulation XLVII, of 1803, until the term of them ſhall expire, (excepting in the caſe of the lands being diſpoſed of at public ſale for the diſcharge of arrears of the public aſſeſſment).

A. D. 1812. REGULATION XV.

A REGULATION *for extending to the Ceded and Conquered Provinces, and to the Province of Benares, certain parts of Regulation* I, 1811, *and for reſcinding Regulation* II, 1810.—PASSED *by the Governor General in Council on the* 8*th Auguſt* 1812; *correſponding with the* 25*th Sawun* 1219 *Bengal era; the* 15*th Sawun* 1219 *Fuſſily; the* 26*th Sawun* 1219 *Willaity; the* 1*ſt Sawun* 1869 *Sumbut; and the* 29*th Rujub* 1227 *Higeree.*

WHEREAS Regulation I, 1811, contains proviſions for the puniſhment of perſons guilty of the offence of breaking into houſes, tents and boats, and of receiving plundered or ſtolen property, knowing it to have been ſo acquired, and likewiſe for the guidance of the public officers in conducting the ſearch for plundered or ſtolen property; and whereas it has been judged adviſable that the operation of the ſaid proviſions and rules ſhould be extended to the Ceded and Conquered Provinces, and to the province of Benares; and whereas the progreſs made in the ſuppreſſion of robberies by armed horſemen, appears to the Governor General in Council to admit of the reſciſſion of Regulation II, 1810, without danger of public inconvenience; the following Preamble.

lowing rules have been enacted, to be in force from the period of its promulgation in the Ceded and Conquered Provinces and in the province of Benares.

Sections II, III, IV, V, VI, VII, VIII, IX, X, and XI, of Regulation I, 1811, extended to the Ceded and Conquered Provinces, and to the Province of Benares.

II. Sections II, III, IV, V, VI, VII, VIII, IX, X, and XI, of Regulation I, 1811, are hereby extended to the Ceded and Conquered Provinces, and to the province of Benares.

Regulation II, 1810, reſcinded.

III. Regulation II, 1810, is hereby reſcinded.

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A. D. 1812. REGULATION XVI.

A REGULATION *for authorizing the Judge of the Dewanny Adawlut of the Zillah of the 24-Pergunnahs, to execute judgments paſſed by the Court of Requeſts for the Town of Calcutta*—PASSED *by the Governor General in Council on the 15th August 1812; correſponding with the 1st Bhadoon 1219 Bengal era; the 22d Sawun 1219 Fuſſily; the 2d Bhadoon 1219 Willaity; the 8th Sawun 1869 Symbut; and the 7th Shabaan 1227 Higeree.*

Preamble.

WHEREAS execution of the judgments of the commiſſioners of the Court of Requeſts for the town of Calcutta, is often defeated, by the parties againſt whom the ſame have been obtained, abſconding from the limits of the town into the zillah of the 24-Pergunnahs; to remedy the inconvenience in queſtion, the following rules have been enacted, to be in force from the period of their promulgation.

The judge of the zillah of the 24-Pergunnahs, ordered under certain circumſtances, to exe-

II. *Firſt.* If the defendant in any ſuit decided by the Court of Requeſts for the town of Calcutta, the plaintiff in which ſhall have obtained a judgment, ſhall retire before execution of the

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cute judgments of the commiſſioners of the Court of Requeſts for the Town of Calcutta.

ſame, into the juriſdiction of the judge of the zillah of the 24 Pergunnahs, the judge of the ſaid court, upon receiving a written application from the ſaid plaintiff, either in perſon or by vakeel, ſetting forth the above circumſtances, and accompanied by a copy of the judgment duly authenticated, is hereby authorized and directed to proceed to execute the ſaid judgment in the mode preſcribed by the exiſting regulations for executing his own decrees.

The judge upon the defendant alleging any cauſe againſt the execution of the judgment, which may require the determination of the commiſſioners, how to proceed.

Second. Provided always, that if the defendant in ſuch caſe ſhall allege any cauſe againſt the execution of the judgment which ſhall appear to the judge to require the determination of the commiſſioners of the Court of Requeſts, the judge ſhall upon ſuch defendant entering into ſufficient ſecurity to ſatisfy the judgment, if the judge ſhould deem this precaution neceſſary, allow the ſaid defendant a reaſonable period to apply to the ſaid commiſſioners; upon the expiration of which, unleſs the ſaid defendant ſhould produce an order properly authenticated from the ſaid commiſſioners, certifying that the judgment ought not to be put into execution; the judge ſhall forthwith proceed to execute the judgment as preſcribed in the preceding clauſe.

Defendants who have been confined by the commiſſioners, but liberated under the rules eſtabliſhed by government on the 11th February 1805, not again to be confined by the judge in execution of the ſame judgment; execution in ſuch caſes to proceed againſt the property only.

Third. Provided further, that no defendant who ſhall have been confined in the jail of the ſaid commiſſioners, and ſhall have been liberated under the rules eſtabliſhed for the guidance of the ſaid commiſſioners by the Governor General in Council on the 11th February, 1805, in conſequence of having received diet money for a given period, ſhall again be confined by the judge of the zillah of the 24-Pergunnahs in execution of the ſame judgment; but that in all ſuch caſes, execution ſhall proceed againſt the property only of the defendant.

A. D. 1812. REGULATION XVII.

A REGULATION *for modifying the rates of duty eſtabliſhed by Sections* XI, *and* XII, *Regulation* I, 1812.—PASSED *by the Governor General in Council, on the 29th August 1812; correſponding with the 15th Bhadoon 1219 Bengal era; the 7th Bhadoon 1219 Fuſſily; the 16th Bhadoon 1219 Willaity; the 8th Bhadoon 1869 Sumbut; and the 21st Shabaan 1227 Higeree.*

Preamble.

WHEREAS Sections XI and XII, Regulation I, 1812, contain rules for the levy of duties on horſes and mares, imported by ſea, with the exception of thoſe imported from Europe: and whereas it has been judged adviſable, with the view of encouraging the importation of horſes of a certain ſize, to modify the rates of duty eſtabliſhed by thoſe proviſions, the following rules have been enacted, to be in force from the period of their promulgation.

Sections XI and XII, Regulation I, 1812, reſcinded.

II. Sections XI and XII, Regulation I, 1812, are hereby reſcinded.

III.

Horſes and mares under 14 hands high, to pay a duty of 400 rupees each

III. *Firſt.* Horſes and mares being leſs than 14 hands in height, ſhall be ſubject, as at preſent, on their importation by ſea, to a duty of rupees 400 each.

From 14 hands to 14 hands and 1 inch, 200 rupees each.

Secnod. Horſes and mares the height of which may be between 14 hands, and 14 hands 1 inch, ſhall be ſubject to a duty of rupees 200 each.

No duty on thoſe above 14 hands 1 inch.

Third. Horſes and mares being 14 hands 1 inch or upwards in height, ſhall not be ſubject, on their importation, to any duty.

Exemption of horſes and mares from Europe or ponies from Pegue &c. from any duty.

Fourth. Provided however, that nothing contained in the foregoing clauſes, ſhall be conſtrued to authorize the levy of any duty, on the importation of horſes or mares from Europe, or on the importation of ponies from the coaſt of Pegue, and from the Iſlands lying to the Eaſt of the bay of Bengal, being the breed of any of thoſe places.

Horſes imported by ſea and not intended for ſale, exempted from duty, to the number of four.

IV. Section XVI, Regulation I, 1812, provides, that horſes imported by land into the diſtrict of Cuttack, may be paſſed at the diſcretion of the collector, in caſe the horſes ſhall not be intended for merchandize, and ſhall at the time of importation be in the actual uſe and poſſeſſion of the owner. In order to prevent miſapprehenſion, it is hereby declared, that horſes imported by ſea by individuals, which may not be intended for merchandize, and which at the time of importation may be in the actual uſe and poſſeſſion of the owners, ſhall in like manner be exempted from the payment of the duty eſtabliſhed by Section III, of the preſent Regulation, provided that the number ſo imported do not in each inſtance exceed four.

The rates of duty preſcribed for horſes imported by ſea, applicable to thoſe imported through Cuttack.

V. The modified rates of duty eſtabliſhed by Section III, on the importation of horſes by ſea, and the exemption from duty thereby granted on horſes ſo imported, of certain deſcriptions, are of courſe to be conſidered applicable to horſes imported by land through the diſtrict of Cuttack. In other reſpects, the proviſions contained in Sections XIII, XIV, XV, and XVI, Regulation I, 1812, are to be conſidered to be in full force and effect.

A. D. 1812. REGULATION XVIII.

A REGULATION *for explaining Section* II, *Regulation* V, 1812, *and reſcinding Sections* III *and* IV, *Regulation* XLIV, 1793, *and Sections* III *and* IV, *Regulation* L, 1795, *and enacting other rules in lieu thereof.*—PASSED *by the Governor General in Council, on the* 19*th September* 1812; *correſponding with the* 5*th Aſſin* 1219 *Bengal era; the* 28*th Bhadoon* 1219 *Fuſſily; the* 6*th Aſſin* 1220 *Willaity; the* 13*th Bhadoon* 1869 *Sumbut; and the* 12*th Ramzaan* 1227 *Higeree.*

Preamble.

WHEREAS it has been deemed expedient to remove doubts, which have ariſen on the conſtruction of Section II, Regulation V, 1812, and to reſcind Sections III and IV, of Regulation XLIV, 1793, and Sections III and IV, of Regulation L, 1795, the following rules have been enacted, to be in force from the promulgation of them in the provinces of Bengal, Behar, Oriſſa, (excluſive of the diſtrict of Cuttack, and the pergunnahs formerly dependent on that diſtrict, but now annexed to the zillah of Midnapore), and Benares.

Explanation of the intent of Section II, Regulation V, 1812, as to granting leaſes in perpetuity or otherwiſe.

II. Doubts having ariſen on the conſtruction of Section II, Regulation V, 1812,* it is hereby explained, that the true intent of the ſaid ſection, was to declare proprietors of land competent to grant leaſes for any period, even to perpetuity, and at any rent, which they might deem conducive to their intereſts. Provided, however, that nothing contained in the former or preſent regulation, ſhall be conſtrued to empower perſons holding a reſtricted intereſt in eſtates, whether for life or for other limited period, or ſubject to control or reſtriction in the uſe or diſpoſal of the property, to grant leaſes extending beyond the term of their own intereſt in the property, or exceeding their power or authority over it.

Sections III and IV, Regulation XLIV, 1793, and Sections III and IV, Regulation L, 1795, reſcinded.

III. *Firſt.* Sections III and IV, Regulation XLIV, 1793, and Sections III and IV, Regulation L, 1795, are hereby reſcinded.

Rule for apportioning the aſſeſſment on ſhares of eſtates when divided.

Second. When a diviſion of a joint eſtate ſhall be made on the application of the proprietors, or purſuant to the decree of a court of juſtice, the fixed public revenue aſſeſſed upon the whole eſtate, ſhall be apportioned on the ſeveral ſhares agreeably to the principles preſcribed in Section X, Regulation I, 1793, and Section VII, Regulation XXVII, 1795, without regard to any engagements that may ſubſiſt between the proprietors and their dependant talookdars, (excepting the dependant talookdars deſcribed in Section VII, Regulation XLIV, 1793.) under-farmers, or ryots. But all leaſes made in conformity to Sections II and III, Regulation V, 1812; and Section II, of this regulation, ſhall remain in full force, notwithſtanding the diviſion of a joint eſtate among the ſharers, or the ſale of the whole or a portion of any eſtate in ſatiſfaction of a decree of court, or the devolving of the ſame by inheritance, or the private transfer thereof by ſale, gift, or otherwiſe.

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A. D. 1812. REGULATION XIX.

A REGULATION *for making certain alterations in the rules before eſtabliſhed for the collection of the Government Customs and Town Duties.*—PASSED *by the Governor General in Council, on the 17th October 1812; correſponding with the 2d Cartick* 1219 *Bengal era; the 27th Aſſin* 1220 *Fuſſily; the 3d Cartick* 1220 *Willaity; the 12th Aſſin* 1869 *Sumbut; and the 10th Shawul* 1227 *Higeree.*

Preamble. WHEREAS it is enacted in Clauſe Firſt, Section XII, Regulation IX, 1810, that the Government cuſtoms eſtabliſhed by that regulation, ſhall be levied on certain articles at a fixed valuation of them; And Whereas the great fluctuation which has taken place in the price of ſome of the ſaid articles, has created an obſtacle in various inſtances to an adherence to that mode of collection; And Whereas it has been deemed adviſable to eſtabliſh cuſtom houſes for the collection of Government cuſtoms and town duties at Bareilly and Ghazeepore; And Whereas it has been judged neceſſary to make other alterations in ſome of the rules before eſtabliſhed for the collection of thoſe duties; the following rules have been enacted, to be in force from the period of their promulgation throughout the territories immediately dependent on the Preſidency of Fort William.

Certain parts of Clauſe Firſt, Section XII, Regulation IX, 1810, reſcinded.

II. *Firſt.* So much of Clauſe Firſt, Section XII, Regulation IX, 1810, as enacts that Government duties ſhall be levied on certain articles, at the eſtabliſhed rates, at a fixed valuation of the ſaid articles, with the exceptions hereafter ſpecified, is hereby reſcinded.

Duties on articles mentioned therein to be levied ad valorem with exception to indigo, raw filature ſilk, and Bengal wound ſilk.

Second. In the caſes mentioned in the preceding clauſes the government duties ſhall be levied, at the eſtabliſhed rates, on the articles in queſtion ad valorem. Provided however, that nothing contained in this ſection, ſhall be conſtrued to authorize any alteration of the mode in which the duties are at preſent levied on indigo, raw filature ſilk and Bengal wound ſilk, which duties ſhall continue to be levied as at preſent, according to the fixed valuation ſpecified in Clauſe Firſt, Section XII, Regulation IX, 1810.

Cuſtom houſes eſtabliſhed at Bareilly and Ghazeepore.

III. Cuſtom houſes for the collection of Government cuſtoms and town duties are hereby eſtabliſhed at Bareilly in the ceded Provinces, and at Ghazeepore in the Province of Benares; and the general rules which are at preſent in force, or which may be hereafter enacted with reſpect to the ſaid cuſtoms and duties in other parts of the country, ſhall be conſidered applicable to the ſaid ſtations of Bareilly and Ghazeepore, in common with thoſe eſtabliſhed in other parts of the country.

Government may by an order in Council alter the arrangement of ſubordinate cuſtom houſes eſtabliſhed by clauſe Second, Section VI, Regulation IX, 1810.

IV. By Clauſe Second, Section VI, Regulation IX, 1810, it is enacted, that the cuſtom houſe eſtabliſhed at Meerut, ſhall be ſubject to the authority of the collector of cuſtoms at Agra; that the cuſtom houſes eſtabliſhed at Furruckabad and Allahabad, ſhall be ſubject to the authoriry of the collector of cuſtoms at Cawnpore; and that the cuſtom houſe eſtabliſhed at Mirzapore, ſhall be in like manner ſubject to the authority of the collector of cuſtoms at Benares; It is however hereby declared that it ſhall be competent for the executive Government, by an order paſſed by the Governor General in Council, to render either or all of the ſaid ſubordinate cuſtom houſes ſeparate and independant ſtations, or to ſubject either or all of them to the control of any of the other principal collectors of cuſtoms, whenever circumſtances may render it adviſable to have recourſe to either of thoſe meaſures.

V. By Section XXV, Regulation IX, 1810, it is provided, that ſhould a merchant be deſirous of dividing a diſpatch of goods into ſmaller quantities, after having taken out one rowannah for the whole, he ſhall be entitled, at any of the cuſtom houſes, to as many rowannahs as he may require &c. But inconvenience having been experienced from the numerous portions into which merchants have in ſome caſes divided their cargo of goods, it is hereby enacted, with the view of reſtraining any abuſe of the abovementioned indulgence, that whenever a merchant may be deſirous of ſubdividing a cargo or diſpatch of goods into two or more portions, he ſhall pay over and above the additional duty of one-half per cent, already eſtabliſhed, a fee of four annas for every rowannah ſo obtained in exchange for the original rowannah, for the uſe of the collector or deputy collector of cuſtoms, according to ſuch orders as may be paſſed on that point by the Governor General in Council.

Merchants deſirous of ſubdividing goods for the whole of which one rowannah has been taken ſhall pay a fee of 4 annas on each rowannah, taken out in exchange: ſuch fee to be for the uſe of the collector or deputy collector of cuſtoms.

A. D. 1812. REGULATION XX.

A REGULATION *for modifying ſome of the proviſions contained in the existing regulations reſpecting the registry of deeds, and for establiſhing a register of engagements for the delivery of Indigo.*—PASSED *by the Governor General in Council, on the* 17*th October* 1812; *correſponding with the 2d Cartick* 1219 *Bengal era; the* 27*th Aſſin* 1220 *Fuſſily; the 3d Cartick* 1220 *Willaity; the* 12*th Aſſin* 1869 *Sumbut; and the* 10*th Shawul* 1227 *Higeree.*

Preamble. WHEREAS Regulation XXXVI, 1793, extended to Benares by Regulation XXVIII, 1795, and Regulation XVII, 1803, contain proviſions for regiſtering memorials of deeds of ſale or gift of lands, houſes, and other real property; of deeds of mortgage on land, houſes, and other real property, as well as certificates of the diſcharge of ſuch incumbrances; of leaſes and limited aſſignments of land, houſes, and other real property, including generally all conveyances uſed for the temporary transfer of real property; of wuſſeat-namahs or wills, and written authorities from huſbands to their wives to adopt ſons after their (the huſband's) demiſe; And Whereas Inconvenience has been experienced from the delay attendant on the forms at preſent eſtabliſhed for regiſtering the ſaid deeds; And Whereas it will tend to obviate diſputes and prevent frauds in the performance of engagements for the delivery of indigo, to afford to the parties or either of them, the means of regiſtering ſuch engagements; And Whereas the convenience of the public will be further promoted by the eſtabliſhment of a ſeparate regiſter of obligations for the payment of money, the following rules have been enacted, to be in force from the period hereafter ſpecified, throughout the territories dependent on the Preſidency of Fort William.

Rules to be obſerved in regiſtering deeds.

II. *Firſt.* Whenever any perſon may be deſirous of procuring any deed of the deſcription of thoſe ſpecified in Section III, Regulation XXXVI, 1793, and in the correſponding rules of Regulation XVII, 1803, to be regiſtered, he ſhall attend either in perſon, or by an authorized repreſentative, at the office of the regiſter with the original deed and an exact copy of it, atteſted by one at leaſt of the parties to the inſtrument, and by one of the witneſſes to the execution of it. The regiſter after having adopted the preſcribed meaſures for aſcertaining the validity of the original, and having compared with it the copy above required to be furniſhed, ſhall without loſs of time ſpecify on the back of the latter, the date and hour of the day on which it was preſented for the purpoſe of being regiſtered, ſhall cauſe it to be filed according to the order of time in which it may have been received; and entered in the regiſter book according to the ſame order, certifying in the ſaid book the day and hour on which the entry was completed and inſpected by him.

Original deed to be returned with a certificate endorſed thereon.

Second. On completion of the entry in the manner above ſtated, the regiſter ſhall return the original deed to the perſon from whom it may have been received, with a certificate under his ſignature endorſed on the deed, ſpecifying the date and the hour of the day on which it was regiſtered, and the page on which it is entered in the regiſter book.

The entry in the regiſter book to be made within the day on which the endorſement is made.

Third. The entry in the regiſter book, ſhall in all practicable caſes, be made at the time of endorſing the copy required to be furniſhed; but the inſertion of it ſhall on no account be poſtponed beyond the day on which the endorſement may be made.

All perſons allowed to inſpect the filed copies and regiſter book.

Fourth. The regiſter ſhall on application being made to him, allow all perſons to inſpect the copies of deeds atteſted, endorſed, and filed in the manner preſcribed in the preceding clauſe, as well as the regiſter books.

Copies to be granted and ſuch copies to be received in evidence in caſe of the originals being loſt or deſtroyed.

Fifth. In like manner, the regiſter ſhall, on application being made to him, grant copies of all engagements regiſtered by him to perſons, whom they may concern; and ſuch copies, in the event of the originals being loſt, deſtroyed, or not forthcoming, ſhall be received as ſufficient evidence of ſuch deeds in all courts of judicature whatever; proof being made by the ſubſcribing witneſſes to the original deed, that the original was duly executed.

Engagements contracted with indigo planters for delivery of indigo plant to be regiſtered.

III. *Firſt.* The perſon holding the office of regiſter of deeds for the conveyance of landed property, is likewiſe hereby authorized and required, from and after the 1ſt of January 1813, correſponding with the 19th Pooſe 1219 Bengal era; the 14th Pooſe 1220 Fuſſily; the 20th Pooſe 1220 Willatty; the 14th Pooſe 1869 Sumbut; and the 27th Zeheza 1227 Higeree, to regiſter engagements contracted by indigo planters, whether Europeans or Natives, with the reyets and others for the delivery of the indigo plant.

A ſeparate regiſter book to be kept for ſuch engagements.

Second. A ſeparate regiſter book ſhall be kept for the regiſtry of contracts of the deſcription of thoſe ſpecified in the preceding clauſe.

It ſhall be optional with perſons contracting indigo engagements to regiſter them or not, but

Third. It ſhall be optional with perſons contracting engagements for the delivery of indigo to regiſter them, or not, as they may judge proper; but every engagement contracted for the de-

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regiſtered engagements ſhall be ſatisfied in preference to others.

livery of indigo after the 1ſt day of January 1813, which may be duly regiſtered according to the proviſions of this regulation, ſhall, in caſe it be in other reſpects a legal and bonâ fide engagement, be ſatisfied in preference to every other contract for the delivery of indigo, being the produce of the ſame ground, which may not have been regiſtered, whether the laſt mentioned deed ſhall have been executed previouſly or ſubſequently to the regiſtered deed.

Rules for the regiſtry of ſuch engagements.

Fourth. Whenever any perſon may be deſirous of procuring any engagement for the delivery of indigo to be regiſtered, he ſhall attend either in perſon, or by an authorized repreſentative, at the office of the regiſter, with the original deed and an exact copy of it, atteſted by one at leaſt of the parties to the inſtrument, and by one of the witneſſes to the execution of it. The regiſter on having aſcertained by evidence on oath that the original was duly executed, and having compared with it the copy above required to be furniſhed, ſhall without loſs of time, ſpecify on the back of the latter, the date and hour of the day on which it was preſented for the purpoſe of being regiſtered, and ſhall cauſe it to be filed according to the order of time in which it may have been received, and entered in the regiſter book according to the ſame order; certifying in the ſaid book, the hour and day on which the entry was completed and inſpected by him. The entry in the regiſter book, ſhall in all practicable caſes, be made at the time of endorſing the copy required to be furniſhed; but the inſertion of it ſhall on no account be poſtponed beyond the day on which the endorſement may be made.

The original deed to be returned with a certificate endorſed thereon.

Fifth. On completion of the entry in the manner above ſtated, the regiſter ſhall return the original deed to the perſon from whom it may have been received, with a certificate under his ſignature endorſed on the deed, ſpecifying the date, and the hour of the day on which it was regiſtered, and the page on which it is entered in the regiſter book.

Sixth. The certificate of the regiſter, endorſed on the original deed, in the manner ſtated in the preceding clauſe, ſhall be deemed in all courts of judicature, ſufficient evidence of the regiſtry.

All perſons allowed to inſpect the filed copies and regiſter book.

Seventh. The regiſter ſhall, on application being made to him, allow all perſons to inſpect the copies of engagements for the delivery of indigo atteſted, endorſed, and filed in the manner preſcribed in Clauſe Fourth, of the preſent ſection of this regulation, as well as the regiſter book in which ſuch engagements may have been entered.

Copies of regiſtered engagements ſhall be granted on application, and ſuch copies to be received in evidence ſhould the originals be loſt or deſtroyed.

Eighth. In like manner the regiſter ſhall, on application being made to him; grant copies of all engagements regiſtered by him to perſons, whom they may concern; and ſuch copies, in the event of the originals being loſt, deſtroyed, or not forthcoming, ſhall be received as ſufficient evidence of ſuch deeds in all courts of judicature whatever; proof being made by the ſubſcribing witneſſes to the original deed, that the original was duly executed.

Fees allowed to the regiſter for each engagement.

IV. The regiſter ſhall be allowed a fee of two rupees for every engagement regiſtered by him, to be paid by the party cauſing the ſame to be regiſtered, and no more; a fee of one rupee for every copy furniſhed of a deed regiſtered by him, to be paid by the party applying for ſuch copy, and no more; and a fee of half a rupee for every ſearch made on an inſpection of the regiſter book, to be paid by the party inſpecting the ſame, and no more. The regiſter is authorized to refuſe the official acts required from him until theſe fees be paid, and, from ſuch fees he ſhall provide the neceſſary native officers to make the entries and copies directed, as well as the requiſite ſtationery.

Regiſtry of bonds, notes, or other money engagements.

V. *Firſt*, The perſon holding the office of regiſter of deeds, is likewiſe hereby authorized and required from and after the 1ſt of January 1813, correſpoding with the 19th Pooſe 1219

Bengal era; the 14th Pooſe 1220 Fuſſily; the 20th Pooſe 1220 Willaity; the 14th Pooſe 1869 Sumbut; and the 27th Zeheza 1227 Higeree; to regiſter bonds, promiſſory notes, and generally all obligations for the payment of money. Provided however, that ſuch regiſtry ſhall only be made on the application, in perſon or by repreſentative, of the party by whom the ſaid bonds, promiſſory notes, or other obligations may have been executed.

A ſeparate regiſter book to be kept for ſuch obligations.

Second. A ſeparate regiſter book ſhall be kept for the regiſtry of obligations of the deſcription of thoſe ſpecified in the preceding clauſe.

What rules applicable to the regiſtry of ſuch obligations.

Third. The rules contained in Clauſes Fourth, Fifth, Sixth, Seventh and Eighth, of Sections III, and IV, of the preſent regulation, ſhall be conſidered applicable to the regiſtry of bonds, promiſſory notes, and other obligations for the payment of money, with the reſtriction already ſtated, reſpecting the party on whoſe application ſuch regiſtry is to be made.

Certain part of Section VIII, Regulation XXXVI, 1793, reſcinded.

VI. *Firſt.* Such part of Section VIII, Regulation XXXVI, 1793, and of the correſponding rules in Regulation XVII, 1803, as requires that each leaf of the different regiſter books ſhall be atteſted by the judges of the zillah or city court, is hereby reſcinded.

The endorſement on copies of deeds kept under this regulation, and the tranſcripts thereof in the regiſter book, to be counterſigned by the judge, and at what period.

Second. In order at the ſame time to eſtabliſh a proper control over the conduct of the public officers entruſted with the diſcharge of the duty of regiſtering deeds, it is hereby enacted, that the endorſement on the copies required to be kept of the ſaid deeds by the proviſions of this regulation, and the tranſcripts thereof in the regiſter book, ſhall be both counterſigned by the judge of the adawlut, within one month of the date of regiſtry; unleſs prevented by abſence; and in that caſe within one month after his return.

The judge to report for the information of Government, any irregularities he may diſcover in the conduct of the buſineſs.

Third. On affixing his name to the copies of the deeds and to the regiſter books, it ſhall be the duty of the judge to report to the Secretary to Government in the Judicial Department, for the information of the Governor General in Council, any errors or irregularities, or any deviation from the eſtabliſhed regulations, which he may have diſcovered in the conduct of the buſineſs confided to the regiſter of deeds, or to his native officers.

Regiſters precluded from regiſtering any deeds but thoſe preſcribed in the regulations. The regiſter books to be of Engliſh paper and bound.

VII. It is hereby declared, that the regiſters are not warranted in regiſtering deeds of any deſcription, excepting thoſe ſpecified in Regulation XXXVI, 1793, and Regulation XVII, 1803, and in the preſent regulation. The regiſter books ſhall in future be uniformly made of Engliſh paper, and carefully bound.

Regiſters to keep an account of fees received.

VIII. It ſhall be the duty of the regiſters to keep an accurate account, in the Engliſh language, of the fees received by them on account of the regiſtry of deeds.

Regiſters to prepare an annual index to the Regiſter books.

IX. It ſhall likewiſe be the duty of the regiſter to prepare, as ſoon after the expiration of each Engliſh year as poſſible, an index to the regiſter books.

Regiſters to preſerve carefully and enter in a book all powers of attorney for regiſtering deeds.

X. The regiſters are alſo hereby required, not only to preſerve with care the powers of attorney which may be produced by perſons attending on the behalf of others to procure deeds to be regiſtered, but likewiſe to cauſe all ſuch powers to be regularly entered in a ſeparate book, to be kept for that purpoſe.

A. D. 1812. REGULATION XXI.

A REGULATION *for reſcinding. certain parts of Regulation* I, 1811.—PASSED *by the Governor General in Council on the 31ſt October* 1812 *; correſponding with the 16th Cartick* 1219 *Bengal era; the 11th Cartick* 1220 *Fuſſily; the 17th Cartick* 1220 *Willaity; the 12th Cartick* 1869 *Sumbut; and the 24th Shawul* 1227 *Higeree.*

Preamble. WHEREAS Section XII, Regulation I, 1811, and the ſucceeding ſections of that regulation, contain proviſions for preventing perſons from exerciſing certain trades without previouſly obtaining licenſes for that purpoſe from the magiſtrate of the zillah or city, in which they may reſide; And Whereas the benefits reſulting from the operation of thoſe rules have not been proportioned to the inconvenience with which they have on ſome accounts been attended, the following rule has been paſſed, to be in force from the period of its promulgation, throughout the provinces of Bengal, Behar, and Oriſſa.

II.

Sections XII to XXV, of Regulation I, 1811, reſcinded.

II. Sections XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, and XXV, Regulation I, 1811, are hereby reſcinded.

⁂

Recd. 22d- Jany
1813

A. D. 1812. REGULATION XXII.

A REGULATION *for exempting certain territories and jaguers, ſituated on the borders of the zillah of Bundlecund, from the operation of the general regulations, and for annexing to that zillah, certain lands formerly compoſing a part of the jaguer of the killadar of Calenger.*—PASSED *by the Governor General in Council, on the 5th December* 1812; *correſponding with the* 22*d Aghun* 1219 *Bengal era; the* 17*th Aghun* 1220 *Fuſſily; the* 23*d Aghun* 1220 *Willaity; the* 2*d Aghun* 1869 *Sumbut; and the* 30*th Zekaad* 1227 *Higeree.*

Preamble. WHEREAS it has been deemed proper on principles of juſtice and policy, to confirm or reſtore to ſeveral of the Bondeelah chieftains their ancient territorial poſſeſſions, free from the payment of any tribute to the Britiſh Government, and alſo to place under the authority of ſeveral of thoſe chieftains certain lands ſubject to a fixed tribute payable through the agent to the Governor General, and likewiſe to grant to ſeveral other perſons jaguers ſituated within the ancient limits of the province of Bundlecund; and whereas circumſtances have occurred, which render it neceſſary to explain that it neither was, nor is, the intention of government, that any of the three deſcriptions of tenures above deſcribed, ſhould be ſubject to the operation of the general regulations, or to the juriſdiction of the civil and criminal courts of judicature; and whereas it has been judged adviſable to annex to the zillah of Bundlecund, certain lands formerly compoſing a part of the jaguer of the killadar of Calenger, the following rules have been enacted, to be in force from the period of their promulgation.

Territories and jaguers of certain chieftains and jaguerdars declared to be exempt from the operation of the regulations, and from the juriſdiction of the civil and criminal courts.

II. The territories and jaguers at preſent in the poſſeſſion of the undermentioned chieftains and jaguerdars, are hereby declared to have always been, and ſtill to be, exempted from the operation of the general regulations, and from the juriſdiction of the courts of civil and criminal judicature, viz.

The territory of rajah Kiſhore Sing, the rajah of Punnah, including the talook of Shewrajpore, for which a fixed tribute is paid by him through the channel of the agent to the Governor General in Bundlecund.

Ditto of rajah Bukht Sing, the rajah of Kotra and Adjey Ghur, including the Tuppa of Bechoun, and the talook of Corah, for which a fixed tribute is paid by him through the agent to the Governor General in Bundlecund.

Ditto of rajah Bickurmajit Bedjey Bahauder, the rajah of Churkarry, including the talooks of Chundellah and Berna, for which a fixed tribute is paid by him through the agent to the Governor General in Bundlecund.

Ditto of rajah Kiſſeree Sing, the rajah of Jeytpore.

Ditto of rajah Ruttun Sing, the rajah of Bijawur.

Ditto of rajah Teje Sing, the rajah of Sindelah.

Ditto of rajah Mohun Sing, the rajah of Barounda.

The jaguer of Dewan Joogul Perſhaud, the jaguerdar of Berree, &c.

The jaguer of Dewan Bunkut Rao, jaguerdar of Beyhit, &c. the ſon of Dewan Aperbul Sing, deceaſed.

Ditto of Rao Punchum Sing, jaguerdar of Alleepoora, the ſon of Dewan Purtaub Sing, deceaſed.

Ditto of Dewan Dheraj Sing, jaguerdar of Logaſſee, &c.

Ditto of Rao Perthee Sing, jaguerdar of Jeegnee, &c.

Ditto of Chobey Dereao Sing, jaguerdar of Paldeo, &c.

Ditto of Chobey Salligram, jaguerdar of Cuſbah Poorwah, &c.

Ditto of Chobey Nawul Kiſhore, jaguerdar of Bhyſont, &c.

Ditto of Chobey Chutterſaul, jaguerder of Nowgong, &c.

Ditto of Chobey Gyaperſhaud, jaguerdar of Terrow, &c.

Ditto of Chobey Pokerperſhaud, jaguerdar of Parwah, &c.

Ditto of Gopaul Laul, jaguerdar of Kamtah and Rajowlah.

Ditto of Takwoor Doorjun Sing, jaguerdar of Myher, &c.

Ditto of Lall Sheorauje Sing, jaguerdar of Oochar, &c.

Ditto of Laul Amaun Sing, jaguerdar of Sahawaul, &c.

Ditto of Lal Doonaput, jaguerdar of Kothee, &c.

Ditto of Rajahram Killadar, jaguerdar of Muneearrah, &c.

Ditto of Purſram Bahadar, jaguerdar of Khuddee. &c.

Ditto of Koor Juggut Sing, jaguerdar of Neyah Gong, &c. ſon of Luchmun Lungrah, deceaſed.

Ditto of Dewan Bahadar Gopaul Sing, jaguerdar of Gudrautee, &c.

But ſuch chieftains or jaguerdars acquiring any other villages or lands, to be amenable as other native ſubjects in regard to all acts done therein.

Provided however, that in caſes in which any of the ſaid chieftains or jaguerdars, or their ſucceſſors, may have acquired or may hereafter acquire any other villages or lands ſituated within the limits of the Britiſh poſſeſſions, than the territories and jaguers above ſpecified, they ſhall, in common with all other native Britiſh ſubjects, be conſidered amenable to the juriſdiction of the eſtabliſhed courts of judicature, and ſubject to the operation of the general regulations in regard to all acts done by them in the ſaid villages and lands which they may reſpectively poſſeſs.

The jaguer of the late killadar of Calenger, annexed to the zillah of Bundlecund.

III. The portion of the lands conſtituting the jaguer of the late killadar of Calenger, which has been ceded to the Britiſh

Government, is hereby annexed to the zillah of Bundlecund.

The regulations eſtabliſhed for Bundlecund, declared to be in force in the above mentioned jaguer, ſubject to certain limitations as to the period of cognizance of crimes or civil ſuits.

IV. The laws and regulations eſtabliſhed for the internal adminiſtration of the zillah of Bundlecund, are hereby declared to be in full force and effect in the lands ſpecified in the preceding ſection: provided however, that nothing herein contained, ſhall be conſtrued to authorize the magiſtrate or the courts of criminal judicature, to take cognizance of any crime or offence committed in any part of the ſaid lands, previouſly to the 19th of June 1812, being the date of the engagement under which they were ceded to the Britiſh Government; provided likewiſe, that the courts of civil judicature ſhall not be deemed competent to take cognizance of any civil ſuit, if the cauſe of action ſhall have ariſen previouſly to the 19th of June 1800, being a period of twelve years antecedent to the ceſſion, as above ſpecified.

PRINCIPAL HEADS
OF THE
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TO THE
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OF
1812.

ALTERATIONS, MODIFICATIONS, EXTENSIONS, AND RESCISSIONS.

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ALTERATIONS, MODIFICATIONS, EXTENSIONS, AND RESCISSIONS, &c. &c.

Regulations altered, &c.					*By what Regulations.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	I.	VIII.		Applied by - -	VIII.	III.	*Second.*
——	VIII.			Partly rescinded by -	V.	III.	
——	XXVI.	VIII.		Ditto - - -	XX.	VI.	*First.*
——	XXIX.	XX&XXI		Applied by - -	VIII.	V.	
——	XXXV.	IV. V. & VI		Modified by - -	II.	II.	
——		XIII.		Partly rescinded by -		III.	
——		XXVI.		Ditto - -		IV.	
——		XXIV.		Ditto - -		V.	
——	XXXVI.	III.		Modified by - -	XX.	II.	*First.*
——	XXXVI.	VIII.		Partly rescinded by -	XX.	VI.	*First.*
——	XLIV.	II.		Rescinded by - -	V.	II.	
——		III. & IV.		Ditto - -	XVIII.	III.	
——		V.		Added to - -	V.	V.	
1794	IV.			Partly rescinded by -	V.	III.	
1795	XXVII.	VII.		Applied by - -	XVIII.	III.	
——	L.	II.		Rescinded by - -	V.	II.	
——	L.	III & IV.		Rescinded by - -	XVIII.	III.	
——	——	V.		Added to - - -	V.	V.	
1799	VII.	IX.		Modified by - -	III.	VIII.	
——	——	XXIII.	*Third.*	Added to - - -	V.	IV.	
1800	V.	IX.		Modified by - -	III.	VIII.	
——	——	XXIV.		Added to - - -	V.	IV.	
——	VII.	VI.	*Third.*	Continued in force till a fixed date - -	XII.	II.	
1801	I.	II		Partly rescinded by -	V.	XXVIII	*First.*
——	——	IX.		Added to - - -	V.	IV.	
——	IX.			Applied by - -	VIII.	XV.	
1803	XVII.	III.		Modified by - -	XX.	II.	*First.*
——	XVII.	VIII.		Partly rescinded by -	XX.	VI.	*First.*
——	XXV.	XIX.	*Fourth.*	Enforced by	[illegible]	III.	
——	XXVIII.	XVII.		Modified by	III.	VIII.	
——	XLV.	XI.		Superseded by -	II.	IX.	
——	——	XXXVIII.		Rescinded by -		VII.	
——	XLVII.	II.	*Second.*	Ditto - - -	V.	II.	
——	——	V.		Added to - - -	V.	IV & V	
05	IX.	VII.		Enforced by - -	X.	III.	
——	XII.	IV.	*Sixth.*	Enforced by - -	X.	III.	
06	VIII.	II & III.		Enforced by - -	VIII.	XVI.	
1807	IX.	IV.		Modified by - -	III.	III.	
——	X.	V. & VI.		Partly rescinded by	X.&X.	II.	

Regulations altered, &c.					By what Regulation.		
Year	Regulation	Section.	Clause.		Regulation	Section.	Clause.
1810	II.			Rescinded by -	XV.	III.	
——	VI.			Added to -	III.	IV.	
——	IX.	V.		Modified by -	I.	II.	
——	——	VI.	Second.	Ditto -	XIX.	IV.	
——	——	XII.		Ditto -	I.	III. V. VI. & VIII.	
——	——	XII.	First.	Rescinded by -	XIX.	II.	First.
——	——	——	Second.	Amended by -	I.	XXV.	
——	——	XIII.	Second.	Modified by -	I.	X.	
——	——	XIV.		Explained by -	——	XVII.	
——	——	XXIII.	First.	Ditto -	——	XVIII.	
——	——	XXV.		Modified by -	XIX.	V.	
——	IX.	L.		Ditto - -	I.	XIX.	
——	——	LXXV.		Ditto - -	——	XXI.	
——	XV.	——		Rescinded by -	VII	II.	
1811	I.	II. III. IV. V. VI. VII. VIII. IX X. & XI.		Extended by -	XV.	II.	
——	I.	XII. XIII. XIV. XV. XVI. XVII. XVIII. XIX. XX. XXI. XXII. XXIII. XXIV. & XXV.		Rescinded by -	XXI.	II.	
——	III.	III.	Fifth.	Altered by -	VI.	II.	
——	IV.	——		Rescinded by -	VII.	II.	
——	VII.	IV.		Added to - -	III.	II.	First.
1812	I.	XI. & XII.		Rescinded by -	XVII.	II.	

Regulations altered, &c.					*By what Regulation.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section,*	*Clause.*
1812	I.	XIII. XIV. XV. & XVI.		Referred to -	XVII.	V.	
——	——	XVI.		Explained by - -	XVII.	IV.	
——	V.	II.		Modified by - -	XIV.		
——	V.	II.		Explained by - -	XVIII.	II.	
——		III.		Referred to - -	XVIII.	III.	*Second.*

BUNDLECUND.

Certain territories and jageers on the borders of zillah Bundlecund exempt from the operation of Regulations, and from the jurisdiction of the civil and criminal Courts—Enumeration of these territories and jageers—Any chieftains or jageerdars acquiring any lands in the British possessions declared amenable to the Courts of Judicature, -	XXII.	II.	
Jageer of the Killadar of Calenger annexed to zillah Bundlecund, - - - -		III.	
Regulations for Bundlecund, to be in force in the above named jageer, subject to limitations as to the period of cognizance of crimes or civil suits,	XXII.	IV.	

CEDED AND CONQUERED PROVINCES.

Parts of Sections V and VI. Regulation X. 1807, rescinded, - - - - - -	IX. & X.	II.	
Declaration contained in former Regulations respecting a permanent settlement to be concluded for certain lands, to be in full force and effect, -		III.	
In whom the duty of ascertaining, what estates are in a state of cultivation, to warrant the conclusion of a permanent settlement, is vested, and rules regarding the formation of it, - - -		IV.	
Reports of such estates as may not be sufficiently improved to warrant a permanent settlement, to be forwarded to government for their consideration,	IX. & X.	V.	

For

	Regulation.	Section.	Clause.
For what term a zemindar, &c. may grant leases in these provinces,	XIV.	II.	
A lease granted beyond the limited term to be considered null and void,		III.	
Division or transfer of estates not to effect subsisting engagements,		IV.	
Sections I, II, III, IV, V, VI, VII, VIII, IX, X, and XI, Regulation I, 1811, extended to these provinces	XV.	II.	
Regulation II, 1810, rescinded.		III.	
COINAGE.			
How Portuguese and China coins shall be valued on exchange,	I.	XIX.	
Sections IV, V and VI. Regulation XXXV, 1793, modified,	II.	II.	*First.*
To what rates of duty and from what date all silver bullion or coin (not Calcutta struck) is subject when delivered at that mint for coinage,	II.	II.	*Fifth.* *Second, Third, Fourth and Fifth.*
Rules regarding the receipts and certificates to be granted to the proprietors of bullion,			*Sixth.*
Marked rupees declared a legal tender, with a certain proviso,		III.	
Section XXVI, Regulation XXXV, 1793, rescinded		IV	
Section XXIV, Regulation XXXV, 1793, ditto,		V.	*First.*
Rate of duty to be levied on all gold bullion and coin—exceptions,			*Second.*
Rules regarding the return to be made for gold bullion above, equal to any inferior to Calcutta standard,			*Third and Fourth.*
Rules regarding the receipts &c. to be granted to the proprietors,			*Fifth.*
Proprietors of bullion [illegible] with the assay master's report, allow[illegible]aw it,		VI.	
Section XXXVIII, Reg[illegible] XLV, 1803 rescinded,		VII.	
To what rates of duty and from what date all kinds of silver bullion or coin (not Furruckabad struck) are subject when brought to that mint for coinage,		VIII.	*First, Second, and Third.*

Rules

	Regulation.	Section.	Clause.
Rules regarding receipts, &c. to be granted to the proprietors, - - - - -	II.	VIII.	*Fourth.*
Proprietors dissatisfied with the assay master's report allowed to withdraw his bullion free of duty,			*Fifth.*
Benares rupee declared to be the coin of that province, - - - - - -		X.	
Of what weight and standard, - - -		XI.	
Of what size, form and impression, - -		XII.	*First & Second*
The edges of the rupee to be milled, - -		XIII.	
The dies to be cut at the Calcutta Mint and returned when unserviceable, - - -		XIV.	
Mint of Benares to be superintended by an assay master, subject to the Board of Commissioners, with a fit establishment of native officers, subject to the existing regulations, - - - -		XV.	
These officers declared amenable to the Dewanny Adawlut of City Benares, - - - -		XVI.	
How and by whom the dies for the mint at Benares are to be prepared, - - - -		XVIII.	
To what Courts persons charged with counterfeiting, &c. the silver coin of Benares are to be committed, - - - - - -		XIX.	
Benares rupees declared a legal tender there—To what penalty a native officer refusing to receive them is subject, - - - -		XX.	
When rupees are to be considered standard weight,		XXI	
How Benares rupees and halves and quarters of a rupee deficient in weight, are to be received and how to be used, -		XXII & XXIII.	*First and Second.*
Stampt metal weights to be used by the Collector of Benares in the collection of the Public Revenue,		XXIV.	
Form of Registers to be kept at the Benares Mint, English copies of which are to be sent to the Board of Commissioners when required,		XXV & XXVI.	
To what rates of duty and from what date, all kinds of silver bullion or coin not Benares struck, brought to that mint for coinage, and Benares rupees brought for recoinage, and rupees of inferior standard, are subject, - - - - - -		XXIX. XXX.	*First, Second, Third*

Rules.

	Regulation.	*Section.*	*Clause.*
Rules regarding receipts &c. to be granted to the proprietors of the bullion,	II.	XXXI.	
Proprietors of coin dissatisfied with the assay master's report allowed to withdraw it free of duty,		XXXII.	
Manufacturers of gold and silver wire not subject to the control of the mint and assay masters,		XXXIII.	

CUSTOMS.

	Regulation.	*Section.*	*Clause.*
Section V, Regulation IX, 1810, respecting the establishment of custom houses within the limits of the towns and cities, modified,	I.	II.	
Rate of customs to be levied on cleaned and un cleaned cotton,		III.	
The produce of the seemul tree not subject to any duty,		IV.	
Rate of duties to be levied on silks—exceptions,		V.	
Rate of duties to be levied on tin and tutenague on importation,		VI.	
To what duty copper and brass wrought or unwrought, on importation by sea, are subject,		VII.	
In an unwrought state on importation by land subject to the same duty,			
To what duty copper and brass wrought or un wrought imported from Napaul are subject,		VIII.	
To what duty, tobacco imported by sea at Chittagong is subject,		IX.	
Horses and mares imported, excepting from Europe, declared after 1st April 1812, subject to pay duties,		X.	
Enumeration of rates leviable on horses and mares of different heights,		XI&XII.	
Horses imported by land from Ganjam, &c. into Cuttack, subject to the same duties and to be levied by the Collector of Cuttack,		XIII & XIV.	
No horses imported by sea (with certain exceptions) to be exempt from duties without a special order from Government		XV.	
Horses imported into Cuttack but not meant for			

merchandize,

	Regulation.	Section.	Clause.
merchandize may be exempted, at the discretion of the Collector,		XVI.	
Articles of individuals, not to be exempted from the fixed duties, except those in actual use,		XVII.	
Examination and appraising of goods assigned to the Company's examiner and appraiser,		XVIII.	
Drawbacks not allowed on the exportation of goods imported from the interior, unless accompanied with the rowannahs.		XX.	
Drawbacks allowed on goods imported by sea, whether intended expressly for re-exportation or not,		XXI.	
Goods when imported into a town to be examined by the nearest chokey darogah, who shall endorse the rowannah,		XXII.	
Rowannahs for goods, on exportation from a town, to be endorsed by the collector,		XXIII.	
Goods without rowannahs so endorsed, found within the lines of chokies, liable to extra duties,		XXIV.	
To what duties goods without rowannahs intended for exportation by sea are subject,		XXV.	
Woollens not allowed to be exported from Bengal to China,		XXVI.	
Duties &c. levied at the Benares Mint discontinued	II.	XXVII.	
Penalties for receiving them,		XXVIII.	
Sections XI and XII. Regulation I. 1812 rescinded,	XVII.	II.	
Modified rates of duties for horses and mares of different heights on being imported,		III.	First & Second
Horses and mares of a certain height subject to no duty,			Third
Horses and mares from Europe and ponies from Pegue, &c. &c. exempted from any duty,			Fourth
Horses to the number of four imported by sea and not intended for sale, exempted from duty,		IV.	
The above modified rates of duty applicable to horses imported through Cuttack,		V.	
Certain parts of Clause 1st Section XII. Regulation IX. 1810, as enact that Government duties shall			

be

	Regulation.	Section.	Clause.
be levied on certain articles at established rates at a fixed valuation, rescinded, - - -	XIX.	II.	First
Duties to be levied ad valorem; (certain articles excepted,) - - - - -			Second
Custom houses established at Bareilly and Ghazeepore, rules *respecting customs* and duties in other parts of the country, applicable to these stations, -		III.	
Government empowered to alter the arrangement of subordinate custom houses, -		IV.	
An extra duty to be paid by merchants for subdividing a cargo of goods, and a fee for every rowannah obtained in exchange for the original,		V.	

EMIGRANTS.

	Regulation.	Section.	Clause.
In what cases the Governor General can remove emigrants from their asylums in the British territories, and to what places, ...	XI.	II.	
In what manner the property of emigrants about to be removed is to be disposed of, . -		III.	
In what cases leaders of emigrants may be kept under restraint, - - -		IV.	
To what punishment emigrants or their descendants convicted of exciting disturbances in the countries from which they have emigrated are subject,		V.	First.
Persons aiding emigrants in exciting disturbances subject to the same punishment with a certain proviso,			Second.

LIQUORS & DRUGS.

	Regulation.	Section.	Clause.
The rules regarding the manufacture and sale of— to be in force till the expiration of the Fussily, Willaity and Bengal years respectively, -	XIII.	II.	First.
To what duty persons desirous of taking out licenses for the manufacture or sale of spirituous liquors or the vend of tauree, &c. &c. will be subject after the expiration of the above periods, - .			Second.
Till the payment of the above duty no licenses to be issued, -			Third.

	Regulation.	Section.	Clause.
MAGISTRATES,			
Of Furruckabad bound to visit monthly the mint and to transmit specimens of the coinage, -	II.	IX.	*First.*
Of Benares ditto, ditto, - -		XVII.	
When process for the attendance of witnesses in certain cases can be issued, - -	III.	II.	*First.*
How to act when these witnesses are detained more or less than a month, - -			*Second. Thir*
Nazir to keep an account of all sums received and disbursed on account of the subsistence of witnesses—Magistrate to inspect the same monthly, -			*Fifth.*
Prohibited from issuing any process without sufficient grounds, - - -			*Sixth.*
Persons having charges to prefer how to act, -		III.	
Landholders &c. held responsible for giving early information of public offences under penalties, -		IV.	*First, Second*
Magistrates how to act with respect to sentences passed by the superintendents of police - -		V.	*First.*
With respect to the prosecution of persons committed by the superintendents of police - -			*Second.*
To what punishments watchmen, &c. are liable for gross neglect, &c. - -		VI.	
Magistrates how to act when officiating darogahs are required, - - -		VII.	
Aid to be furnished by the police officers to distrainers, - -		VIII.	
What registers to be kept of offenders—from what date to commence—and how to be disposed of—Forms of the same, - -		IX.	*First, Second*
Lists of offenders not apprehended to be made from the registers by magistrates, -			
Copies of which and warrants for the apprehension of the persons therein named to be transmitted to landholders &c, and acknowledgments for the same to be procured,			
Copies of the lists to be sent also to the police darogah	III.	IX.	*Third, Fourth*

By

	Regulation.	Section.	Clause.
By these Warrants Zemindars, Talookdars, &c. authorized to apprehend persons named therein—Offenders on being apprehended to be delivered into the charge of police officers,	III.	IX.	*Fifth, Sixth.*
Zemindars,&c. to transmit to the magistrate, on a certain date, reports of persons apprehended—Form of the report—police darogahs to furnish similar reports,			*Seventh & Eighth*
Zemindars, &c. to be held guiltless of consequences ensuing from resistance to the execution of warrants and the resisters to be punished as prescribed for resistance to process of the courts,		X.	*First & Second*
Zemindars &c. not required to prosecute persons legally apprehended by them, nor to attend the Courts —If evidence be absolutely required by the Magistrate, to be procured thro' the regular police officers,		XI.	*First & Second*
Penalties for zemindars &c. guilty of neglect or misconduct,		XII.	
Magistrates empowered to grant lists and warrants to persons not zemindars &c, with their consent.		XIII.	

PRINCES, NATIVE,

	Regulation.	Section.	Clause.
How claims preferred by, are to be prosecuted and decided upon,	IV.	II.	*First.*
By whom claims preferred against, are to be defended,		II.	*Second.*
By whom suits so instituted or defended to be conducted,		III.	
Summary of the decree passed in suits wherein Government is a party to be transmitted to the Secretary in the Judicial Department, for the orders of Government,		IV.	

PUBLIC REVENUE ON LANDS.

	Regulation.	Section.	Clause.
Proprietors of land paying revenue to Government empowered to grant leases for any period,	V.	II.	
Proprietors of land declared competent to grant leases and receive engagements as the contracting parties may agree under provisos,		III.	

	Regulation.	Section.	Clause.
No person attaching lands on the part of Government, or purchasing at public sales, entitled to annul leases within the year of attachment or sale, on the grounds of collusion, without a Judicial decision on a summary suit. - - -		IV.	
Purchasers of land sold for arrears of rent and persons attaching lands in cases in which leases may be cancelled, entitled to collect during the year of the sale according to established Purgunnah rates, if such exist, - - -		V. & VI.	
Rules where no established Purgunnah rates exist,		VII.	
What allowances to be made to dependent talookdars when their talooks are assessed according to the rates payable by Ryots, &c. - -		VIII.	
No cultivator or tenant liable to pay enhanced rent unless under written engagements or notice served on him at the season of cultivation—On no notice being served, the cultivator entitled to a refund of any excess—How these notices are to be served, -		IX & X	
Sequestrators on the part of government, managers of the court of wards and farmers holding farms under the authority of the Boards of Revenue or Commissioners subject to above rules, -		XI.	
Rules in force respecting distress and sale for recovery of arrears, modified, - - -		XII.	
No process for distress or sale of property for arrears of rent legal, unless the tenant be served with a written demand, accompanied with a jumma wassil baukee—How this demand must be served, - - - -	V.	XIII.	
Implements of husbandry and cattle employed in agriculture not to be distrained and sold for arrears of rent, - - -		XIV.	
When attachments for arrears of rent against the property of a tenant who may and who may not have given security for the payment of his rent, shall be withdrawn and property restored, -		XV. XVI	
Persons whose property may have been distrained			

and

	Regulation.	Section.	Clause.
and who are unable to pay sufficient security allowed to institute a suit to try the demand, -		XVII.	
Distrained property to be appraised previously to the sale and a certificate to be furnished to the defaulter, - - - -	V.	XVIII.	
When a sale is to be postponed, - -		XIX.	
Suits instituted under this regulation to be decided on a summary enquiry, - -		XX.	
Such causes to be referred to the collectors for their report, who will furnish the Boards of Revenue and Commissioners with periodical returns of the execution of this duty, - -		XXI. XXII.	
Persons dissatisfied with the decision on summary enquiries how to proceed, - - -		XXIII.	
When sales cannot be annulled by Courts of Judicature—In whom the power of selling estates is vested, - -		XXIV. XXV.	
Judges declared competent to appoint managers of joint undivided estates to collect the rents, under certain provisions, - -		XXVI.	
How persons holding an interest in the estate can procure the removal of the manager, should they be dissatisfied with his conduct, - -	V.	XXVII.	
Existing regulations that render landholders liable to a penalty of 12 per cent. per annum on arrears of rent, in addition to the established charge of interest, rescinded, - -		XXVIII.	First.
With what interest landholders failing to discharge their monthly instalments are to be charged—In whom the power of remitting that, is vested, -			Second.
The Boards of Revenue and Commissioners to obtain periodical accounts of such interest—These accounts to be compared with the Towjees, -			Third.
Section II, Regulation V, 1812, explained, that the true intent was to declare proprietors of land competent to grant leases in perpetuity or otherwise.	XVIII.	II.	
Rules for apportioning the assessment on shares of estates when divided,	XVIII.	III.	Second.

Rules

REGISTRY FOR DEEDS, &c.

	Regulation.	*Section.*	*Clause.*
Rules to be observed in registering deeds,	XX.	II.	*First.*
Original deed to be returned with a certificate endorsed,			*Second.*
Entry to be made in the registerbook within the day on which the endorsement is made.			*Third.*
All persons allowed to inspect the register books, &c.			*Fourth.*
Copies of deeds to be granted—such copies to be evidence in case of the loss of originals,			*Fifth.*
Engagements contracted by Indigo planters with ryots &c. for the delivery of the Indigo plant, to be registered,		III.	*First.*
Separate books to be kept for these contracts,			*Second.*
Option of registering these engagements allowed—registered engagements satisfied in preference to others,			*Third.*
Rules for the registry of these engagements,			*Fourth.*
Original deed to be returned with a certificate endorsed thereon,			*Fifth.*
Certificate of the register on the original deed to be sufficient evidence of the registry,			*Sixth.*
All persons allowed to inspect the register books &c.			*Seventh.*
Copies of deeds to be granted—such copies to be evidence in case of the loss of the originals,			*Eighth.*
Fees allowed to the register—when to be paid,		IV.	
Bonds, obligations for the payment of money &c. to be registered if agreeable to the persons executing the same,		V.	*First*
A separate book to be kept for such obligations—Rules in clauses IV. V, VI, VII, and VIII, Section III, and in Section IV, applicable to the registry of these obligations.	XX.	V.	*Third.*
Copies of deeds, and transcripts thereof in the Register book, to be countersigned by the Judge and at what period;		VI.	*Second.*
Judge to report to Government any irregularities he may discover in the conduct of the business,			*Third.*
No deeds excepting those prescribed in regulations			

to

	Regulation.	*Section.*	*Clause.*
to be registered—Of what paper the register books are to be made,		VII.	
Registers to keep an English account of fees received,		VIII.	
At a certain period registers to prepare an index to register book,		IX.	
Registers to preserve and enter into a book all powers of attorney for the registering of deeds,		X.	
SALT-PETRE.			
To be manufactured on account of Government, or with their express sanction—To what penalty salt petre otherwise manufactured is subject,	VIII.	II.	
No compulsion to be used for the provision or manufacture of salt-petre,		III.	
How persons so compelled are to act,		IV.	*First & Second*
Written contracts to be entered into and security to be taken when practicable,		V.	
How the agents are to act when the contractors &c. fail in their engagements,		VI.	
Registers of persons employed in the provision of salt-petre to be kept, what these are to contain and in what manner to be used,		VII.	
Police officers, landholders, &c. required to afford assistance to the agent in the manufacture of Salt-petre,		VIII.	
To what penalties Gomastahs and others employed under agents are subject for misconduct,		IX.	
To what penalties persons making advances for the illicit manufacture of salt petre, are subject—How these penalties are to be enforced,		X.	*First & Second*
At what rate confiscated Salt-petre is to be valued,		XI.	
Proportion of proceeds of confiscated salt-petre to be granted to persons giving information, to the agent and to the person making the seizure,		XII.	*First.*
How the proceeds are to be distributed in case no information has been given by individuals,			*Second.*
Carriages and cattle, on which salt-petre illegally obtained may be laden, to be confiscated,		XIII.	

	Regulation	Section.	Clause
By whom confiscations must be made, ...		XIV.	
To what rules cultivators employed in the manufacture of Salt-petre, are subject, ...		XV.	
To what Court, agents, assistants, and native officers can be sued for breach of regulations, . . .		XVI.	
STAMPT PAPER.			
Till what date Clause III, Section VI, Regulation VII, 1800 shall remain in force—No deeds for the payment of money &c. unless written on stampt paper, to be received on evidence in a court of judicature—Exceptions, ...	XII.	II.	
Rules respecting instruments produced in a Court having apparently a forged stamp.		III.	First & Second
24 PURGUNNAHS,			
Judge of, to execute under certain circumstances the judgments of the Court of Requests for Calcutta,	XVI.	II.	First
How to proceed, should the defendant allege any cause against the execution of the judgment,	XVI.	II.	Second.
How to proceed against persons who may have once been confined by the Commissioners of the Court of Requests, but liberated under the rules established by Government, ...			Third.

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TITLES
OF THE
REGULATIONS,
PASSED IN THE
YEAR 1813.

REGULATION I.

A REGULATION *for modifying the rules established, respecting the settlement of Cuttack, the pergunnah of Puttaspore and its dependencies.—Passed on the 27th of February,* 1813.

REGULATION II.

A REGULATION *for preventing native officers from making use of public money, entrusted to their care.—Passed on the 6th of March,* 1813.

REGULATION III.

A REGULATION *for authorizing a review in civil cases appealable.—Passed on the 3d of April,* 1813.

REGULATION IV.

A REGULATION *for establishing a toll on [illegible] [illegible] through the*

the Issamutty, Matabangah and Choornee rivers.—Passed on the 3d of April, 1813.

REGULATION V.

A REGULATION *for modifying certain parts of Regulations* XIX *and* XXXVII, 1793, *extended to Cuttack by Section* XXXVI, *Regulation* XII, 1805.—*Passed on the* 1*st of June,* 1813.

REGULATION VI.

A REGULATION *for referring to arbitration suits and contests, respecting land, and for amending the rules before established, regarding forcible dispossession of land.—Passed on the 10th of July,* 1813.

REGULATION VII.

A REGULATION *for extending to the ceded and conquered provinces, the provisions contained in Regulation* III, 1801, *and in Section* XIII, *Regulation* VIII, 1794; *and for rescinding parts of Sections* XI *and* XV, *Regulation* I, 1803.—*Passed on the 17th of July,* 1813.

REGULATION VIII.

A REGULATION *for defining more particularly the different classes of people, who shall be liable to be tried by the courts of criminal judicature, established in the British possessions, for offences committed in foreign territories.—Passed on the 24th of July,* 1813.

REGULATION IX.

A REGULATION *for restoring the punishment of transportation.—Passed on the 24th of July,* 1813.

REGULATION X.

A REGULATION *for reducing to one regulation, with alterations and amendments, the regulations at present in force, respecting the*

the manufacture and sale of spirituous liquors, intoxicating drugs, taury and pitchwye.—Passed on the 21st of August, 1813.

REGULATION XI.

A REGULATION *for modifying some of the rules before established, respecting the payment of pensions, and for preventing the abuses committed in the receipt of pensions.—Passed on the 28th of August*, 1813.

REGULATION XII.

A REGULATION *for modifying some of the provisions in the regulations before enacted, for the collection of the government customs and town duties.—Passed on the 30th of September*, 1813.

REGULATION XIII.

A REGULATION *to provide for the appointment and maintenance of police chokeydars in the cities of Dacca, Patna and Moorshedabad.—Passed on the 2d of October*, 1813.

REGULATION XIV.

A REGULATION *for abolishing the duties before established, on the importation of horses by sea, or through the district of Cuttack.—Passed on the 6th of November*, 1813.

REGULATION XV.

A REGULATION *for the general abolition of the office of dewaun to the collectors of the land revenue, in the provinces immediately dependent on the presidency of Fort William.—Passed on the 13th of November*, 1813.

REGULATION XVI.

A REGULATION *for rescinding Section* X, *Regulation* XIII, 1806.*—Passed on the 13th of November*, 1813.

REGULATION XVII.

A REGULATION *for amending the rules before enacted, for the conduct*

REGULATION.

conduct of enquiries into charges and complaints preferred against European public officers.—Passed on the 24th of December, 1813.

* * *

Recd 17 March 1813

A. D. 1813. REGULATION I.

A REGULATION *for modifying the rules established reſpecting the Settlement of Cuttack, the Pergunnah of Puttaſpore, and its dependencies.*—PASSED *by the Governor General in Council, on the 27th February 1813; correſponding with the 17th Phaugoon 1219 Bengal era; the 12th Phaugoon 1220 Fuſſily; the 18th Phaugoon 1220 Willaity; the 12th Phaugoon 1869 Sumbut; and the 25th Suffer 1228 Higeree.*

Preamble.

WHEREAS it is enacted by Clauſe Fifth, Section IV, Regulation XII, 1805, revived and enforced by Regulation X, 1812, in regard to the ſettlement of Cuttack, "that at the end "of the leaſe for four years, (which will be in the Umlee year 1219,) "a further ſettlement for the period of three years, will be conclud"ed with the perſons in poſſeſſion, (if willing to engage, and they "ſhall have conducted themſelves to the ſatisfaction of Government,)" &c. And whereas the unavoidable delays which have occurred in carrying that proviſion into effect, render it inconvenient and inexpedient that a ſettlement ſhould in the preſent inſtance be formed for ſo long a period as three years; the following rules have been enacted to be immediately in force in the diſtrict of Cuttack, including the purgunnah of Puttaſpore, and its dependencies, at preſent included in the diſtrict of Midnapore.

A ſettlement for one year, to be made in Cuttack, and in the pergunnah of Puttaſpore, and its dependencies, viz. for 1220 Umlee.

II. *Firſt.* A ſettlement ſhall be made in the zillah of Cuttack, and in the pergunnah of Puttaſpore, and its dependencies, for the period of one year, viz. the year 1220 Umlee.

On the expiration of which, a ſettlement for two years to be made in the ſaid zillah and places, viz. for 1221 and 1222.

Second. On the expiration of the Umlee year 1220, a ſettlement ſhall be made in the ſaid zillah and places for the period of two years, viz. 1221 and 1222.

And on the expiration of the year 1222, the Board of Revenue to conform to the proviſion contained in Section V, Regulation X, 1812, for the future ſettlement.

Third. On the expiration of the year 1222, the Board of Revenue will of courſe conform to the proviſion contained in Section V, Regulation X, 1812, reſpecting the future ſettlement of the ſaid diſtrict and places.

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A. D. 1813. REGULATION II.

A REGULATION *for preventing native officers from making uſe of public money entruſted to their care.*— PASSED *by the Governor General in Council, on the 6th of March* 1813; *correſponding with the* 24th *Phaugoon* 1219 *Bengal era; the* 19th *Phaugoon* 1220 *Fuſſily; the* 25th *Phaugoon* 1220 *Willaity; the* 4th *Phaugoon* 1869 *Sumbut; and the* 2d *Rubbi ul-Awul* 1228 *Higeree.*

Preamble.

WHEREAS the intereſts of Government require, that kazanchies, tehſildars, and other native officers ſhould be reſtrained from making uſe of the public money entruſted to their care, the following rules have been enacted; to be in force from the period of their promulgation throughout the territories, immediately dependant on the preſidency of Fort William.

Kazanchies, tehſildars, and other native officers entruſted with the charge of public money, prohibited from making uſe of ſuch money for their own advantage, or that of any other individual.

II. Kazanchies, tehſildars, and other native officers entruſted with the charge of public money, are hereby ſtrictly prohibited from making uſe of ſuch money for their own advantage, or that of any other individual.

Perſons infring- [illegible]

III. Any perſon infringing the rule contained in the foregoing Section, ſhall be deemed to have been guilty of a miſdemeanor, moojrim and to be puniſhed on conviction accordingly.

But ſhall not be ſentenced by a judge of circuit to the puniſhment of ſtripes, or hard labor.

Trial to be ſubmitted for the final ſentence of the Nizamut Adawlut in certain caſes.

and ſhall be puniſhed, on conviction thereof, before a court of circuit, at the diſcretion of the ſaid court, under the authority veſted in the courts of circuit, by Clauſe Seventh, Section II, Regulation LIII, 1803, in caſes liable to diſcretionary puniſhment; provided, nevertheleſs, that no perſon, convicted of the offence ſpecified in the preceding Section of this Regulation ſhall be ſentenced by a judge of circuit, to the puniſhment of ſtripes, or to hard labor. If in any inſtance impriſonment for the term of ſeven years ſhall appear to the judge of circuit to be an inadequate puniſhment for the offence, he ſhall tranſmit the trial, with his ſentiments thereupon, to the court of Nizamut Adawlut, for the final ſentence of that court.

The Board of Revenue, the Board of Commiſſioners, and the Board of Trade, to ſubmit ſpecial reports of all convictions and ſentences under the preſent regulation to Government, who will determine whether the guilty perſons ſhould be declared incapable of again ſerving Government.

IV. It ſhall be the duty of the Board of Revenue, the Board of Commiſſioners, and the Board of Trade, to ſubmit to Government, a ſpecial report reſpecting all convictions and ſentences, which may take place under the proviſions of the preſent regulation, in order that the Governor General in Council may have an opportunity of conſidering whether the guilty perſons ſhould not alſo be declared incapable of again ſerving Government in any public capacity.

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BENGAL SECR
LIBRAR

A. D. 1813. REGULATION III.

A REGULATION *for authorizing a review in civil caſes appealable.*—Passed *by the Governor General in Council, on the 3d April* 1813; *correſponding with the* 22*d Chyte* 1219 *Bengal era; the* 18*th Chyte* 1220 *Fuſſily; the* 23*d Chyte* 1220 *Willaity; the* 2*d Chyte* 1870 *Sumbut; and the* 1*st Rubbi-us-Sanee* 1228 *Higeree;*

Preamble.

WHEREAS the power of granting a review in civil cauſes, veſted in the Sudder Dewanny Adawlut by Section III, Regulation II, 1798, and Section XXXVII, Regulation V, 1803, is confined to caſes, in which no appeal is allowed; and the ends of juſtice have been found to require, that the power aforeſaid ſhall be extended to caſes appealable; the following rules have been enacted, to be in force from the date of the promulgation of this regulation, throughout the whole of the provinces ſubject to the immediate Government of the Preſidency of Fort William.

Modification of Sections II and III, of Regulation II, 1798; Section XXII, Regulation II, 1803, Section XXX, Regulation IV, 1803;

II. *Firſt.* Sections II and III, of Regulation II, 1798, Section XXII, Regulation II, 1803, and Section XXX, Regulation IV, 1803, and Section XXXVII, Regulation V, 1803, are declared ſubject to the following modification.

Second.

and Section XXXVII, Regulation V, 1803. The proviſion contained in the ſections above quoted, extended to caſes in which an appeal is allowed by the regulation in force, and by 21ſt Section of the Statute 21ſt, George III, Cap. LXX.

Second. The proviſions contained in the ſaid ſections empowering the zillah, city, and provincial courts to make application to the Sudder Dewanny Adawlut, for authority to review their judgments, and enabling the Sudder Dewanny Adawlut to grant the ſame, and further to review their own judgments, are hereby extended to caſes, in which an appeal is allowed by the regulations of Government, and by the 21ſt Section of the Statute 21ſt George III, Cap. LXX.

Applications for review of judgment to be preferred within three months.

III. *Firſt.* After the promulgation of this regulation, all applications for review of judgment ſhall be preferred within three calendar months, reckoning from the day on which the decree ſhall be delivered or tendered to the party praying the review or his conſtituted pleader; or, in caſes wherein the courts are not enjoined by the regulations to deliver or tender copies of their orders, within three calendar months from the period when the order, againſt which the review ſhall be prayed ſhall have deen duly notified to ſuch party praying the review. The courts are nevertheleſs authorized to admit applications for review after the elapſe of the three months, provided the parties preferring the ſame ſhall be able to ſhew juſt and reaſonable cauſe to the ſatisfaction of the courts for not having preferred ſuch application within the limited period. But the courts are hereby enjoined to proceed with caution in admitting applications after the limited period, and ſhall in all ſuch caſes ſtate at large upon their proceedings the reaſons for the admiſſion.

In what caſes applications for review may be admitted after the limited period of three months.

The courts how to admit the applications for review in caſes decided before the promulgation of the preſent regulation.

Second. The regulations cited in the preceding ſection containing no limitation of time for preferring applications to review, the courts, provided the ſtated grounds for review ſhall appear adequate, will admit ſuch applications in caſes decided before the promulgation of this regulation, whenever they may be ſatisfied under all the circumſtances, that no undue delay has occurred.

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A. D. 1813. REGULATION IV

A REGULATION *for establishing a toll on boats passing through the Issamutty, Matabangah, and Choornee rivers.*—Passed *by the Governor General in Council on the 3d April* 1813; *correſponding with the* 22d *Chyte* 1219 *Bengal era; the* 18*th Chyte* 1220 *Fuſſily; the* 23*d Chyte* 1220 *Willaity; the* 2*d Chyte* 1870 *Sumbut; and the* 1*st Rubbi-us-Sanee* 1228 *Higeree.*

WHEREAS the Governor General in Council with the view of affording facilities to the internal commerce of the country, has adopted meaſures for the improvement of the navigation of the Iſſamutty, Matabangah and Choornee rivers; and whereas it has been deemed juſt and proper, that moderate tolls ſhould be eſtabliſhed on boats paſſing through thoſe rivers, to defray the expenſe incurred in facilitating and improving the navigation of them; the following rules have been eſtabliſhed, to be in force from and after the 1ſt May 1813, correſponding with the 20th Byſaak 1220 Bengal era; the 19th Byſaak 1220 Fuſſily; the 21ſt Byſaak 1220 Willaity; the 1ſt Byſaak 1870 Sumbut; and the 29th Rubbi-us-Sanee 1228 Higeree. Preamble.

II. The collector of Nuddea, aſſiſted by native officers to be Collector of Nuddea en-

appointed

truſted with the collection of the tolls, on boats entering the canal.

appointed by him, ſhall be entruſted with the collection of the tolls which are to be levied from all boats entering the canal, agreeably to the following rates:—

Rates of tolls.

Budgerows, Pinnaces, Bauleahs, Paunſways,	two annas per oar.
Boats laden with bricks, earthen ware, ſand, earth, or ſoorkey.	two annas per 100 maunds.
Baggage boats, and boats laden with ſtraw, firewood, or gram-ſticks.	eight annas per 100 maunds.
Boats laden with grain or vegetables of any kind,	twelve annas per 100 maunds.

Boats laden with articles, not ſpecified in the liſt contained in the preceding Section, to be ſubject to a toll of one rupee per 100 maunds burthen.

III. All boats laden with any article not ſpecified in the above liſt, ſhall be ſubject to a toll of one rupee per 100 maunds burthen, whether the articles laden on them be imported, or be exported, on returning boats, or on boats entering the canal for the purpoſe.

Board of Revenue inveſted with a general control over the collector of Nuddea, in the diſcharge of duties entruſted to him by this Regulation.

IV. The Board of Revenue are hereby inveſted with a general control over the collector of Nuddea, in the diſcharge of the duties entruſted to him by this regulation.

The collector of Nuddea entitled to a commiſſion.

V. The collector of Nuddea ſhall be entitled to a commiſſion on the revenue derived from the tolls above eſtabliſhed, at ſuch rates as the Governor General in Council may direct.

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A. D. 1813. REGULATION V.

A REGULATION *for modifying certain parts of Regulations XIX and XXXVII, 1793, extended to Cuttack by Section XXXVI, Regulation XII, 1805.—*PASSED *by the Governor General in Council on the 1st June 1813; correſponding with the 20th Jeyte 1220 Bengal Era; the 17th Jeyte 1220 Fuſſily; the 21st Jeyte 1220 Willaity; the 3d Jeyte 1870 Sumbut, and the 1st Jemadi us Sani 1228 Higeree.*

Preamble.

WHEREAS under the rules contained in Regulations XIX and XXXVII, 1793, extended with modifications to Cuttack by Regulation XII, 1805, the claims of Government to reſume the revenue of lands held free of aſſeſſment under illegal or invalid tenures are only cognizable in the courts of judicature: and whereas there is reaſon to believe that individuals availing themſelves of the difficulties experienced by the public officers in the eſtabliſhment of ſuch claims under the exiſting rules, have in many caſes appropriated to themſelves the revenue of lands, properly appertaining to the State, by which conſiderable loſs has been ſuſtained in the public reſources; the following rules have been enacted, to be immediately in force in the diſtrict of Cuttack and in the Pergunnah of Puttaſpore and its dependencies.

Certain parts of Regulations XIX and XXXVII, 1793, reſcinded.

II. Sections XII, XIII, XIV, and XVI, Regulation XIX; and Sections VII, VIII, IX, and XI, Regulation XXXVII, 1793, reſpecting lands held exempt from the payment of revenue to Government ſo far as reſpects the diſtrict of Cuttack and the Pergunnah of Puttaſpore and its dependencies, are hereby reſcinded.

Rules of proceeding in caſes of lands believed to be held exempt from aſſeſſment on invalid or illegal tenure.

III. Whenever a collector of revenue ſhall have reaſon to believe that any land is held exempt from the public aſſeſſment on an invalid or illegal tenure, he ſhall report the circumſtance to the Board of Revenue, or to the Member of that Board on deputation in Cuttack, who, ſhould they or he be of opinion that proper grounds exiſt for an enquiry, ſhall direct the collector to call upon the holder of the lands to adduce, within one month from the receipt of the notice, any documentary or other evidence tending to eſtabliſh his right thereto; at the ſame time apprizing him, that in default of producing ſuch proof, the revenue of the land will be reſumed and aſſeſſed in the mode preſcribed by the regulations.

In ſuch caſes as the collector may, after due conſideration, deem the land reſumable, or the holder may omit to produce the neceſſary documents, the proceedings held, ſhall be ſubmitted for the deciſion of the Board of Revenue or Member on deputation.

IV. If it ſhall appear to the collector, on due conſideration of the documents and other evidence, which may be adduced, that the revenue of the land is reſumable on the principle of the rules contained in Regulations XIX and XXXVII, 1793, or if the holder of the ſaid lands ſhall omit to produce any documentary or other evidence within the time preſcribed, or ſhall fail to ſhew good and ſufficient cauſe for ſuch omiſſion, it ſhall be in either caſe the duty of the collector to forward the whole of his proceedings on the ſubject, with his opinion thereon, to the Board of Revenue or Member on deputation, who will decide whether the land ſhall be deemed liable to the public aſſeſſment, or otherwiſe.

V.

V. If the collector, after receiving the documents or evidence adduced, ſhall be of opinion, that the land is not liable to the public aſſeſſment, he ſhall nevertheleſs tranſmit the whole of his proceedings in the caſe, with his opinion thereon, to the Board of Revenue or Member on deputation, who will decide the queſtion, and iſſue the proper orders for admitting or diſallowing the claim to hold the lands free of aſſeſſment. It ſhall not however be competent to Government, or its revenue officers, after the queſtion ſhall have been ſo decided, to revive the queſtion or diſturb the title of the occupant, except on proof in a court of judicature, of fraud or colluſion in the previous enquiry; or except in the event of a transfer of the property or change of proprietor when a queſtion may in conſequence ariſe as to the hereditary or tranſferrible nature of the tenure.

And alſo in caſes in which the collector ſhall be of opinion that the land is not liable to aſſeſſment, but after the deciſion of the Board of Revenue or Member on deputation, the queſtion ſhall not be again revived unleſs in certain caſes.

VI. Any perſon who may conſider himſelf aggrieved by the deciſion which may be paſſed by the Board of Revenue or Member on deputation, under the rules contained in Sections IV and V, of this regulation, ſhall be at liberty to inſtitute a ſuit, in the courts of judicature againſt Government, to try the merits of the ſaid deciſion, provided that ſuch ſuit be inſtituted within the period of ſix months from the date on which it may be paſſed.

Perſons conſidering themſelves aggrieved by the deciſion paſſed by the Board of Revenue or Member on deputation, may inſtitute a ſuit againſt Government within ſix months.

VII. Such ſuits may be inſtituted, without previous reference to the Governor General in Council againſt Government, and ſhall be defended by the collectors, under the inſtructions of the Board of Revenue or Member on deputation. The courts of judicature, in caſes in which they may be of opinion that the deciſion of the revenue authorities has been paſſed on erroneous grounds, will of courſe adjudge the plaintiff to be reinſtated in poſſeſſion of the lands in queſtion, free of aſſeſſment, at the ſame time awarding to him ſuch coſts as may be ſufficient to reimburſe him for the expenſe to which he may have been ſubject; and giving proper directions for the adjuſtment of the accounts of the collections made from the

Such ſuits may be inſtituted without previous reference to Government, and ſhall be defended by the collectors under the inſtructions of the Board of Revenue or Member on deputation.

lands, during the time that they may have been in the charge of the officers of Government.

Courts not to interfere in the proceedings of the collectors until a regular trial ſhall have taken place of the merits of the caſe.

VIII. But no court of juſtice ſhall iſſue any prohibition or injunction to ſtay proceſs previouſly to the formal deciſion of the caſe by the revenue officers; nor any precept or other order to prevent an ejectment conſequent to ſuch deciſion, until a full and complete trial ſhall have been had of the merits of that deciſion by a regular ſuit inſtituted under this ſection.

Perſons ſucceeding to lakheraje tenure, by death or other transfer of the proprietary right, ſhall notify the ſame to the collector within ſix months, under pain of fine to a certain extent.

IX. Perſons ſucceeding to the poſſeſſion of a lakheraje tenure on the deceaſe of a former occupant, or by gift, purchaſe, or other transfer of proprietary right, are hereby required immediately to notify the ſame to the collector of the land revenue of the diſtrict in which the property may be ſituated, in order that the ſucceſſion or transfer may be duly regiſtered in his office; and any omiſſion to notify ſuch ſucceſſion or transfer for the period of ſix months after it has occurred, ſhall ſubject the offender to ſuch fine as the Board of Revenue or Member on deputation may judge proper to order to be impoſed upon him; not exceeding however the tenth part of the computed annual produce of the lands.

A. D. 1813. REGULATION VI.

A REGULATION *for referring to arbitration ſuits and conteſts reſpecting land, and for amending the rules before eſtabliſhed regarding forcible diſpoſſeſſion of land.*—PASSED *by the Governor General in Council, on the* 10*th July* 1813*; correſponding with the* 28*th Aſſar* 1220 *Bengal era; the* 26*th Aſſar* 1220 *Fuſſily; the* 29*th Aſſar* 1220 *Willaity; the* 12*th Aſſar* 1870 *Sumbut*; *and the* 11*th Rujeeb* 1828 *Higeree.*

Preamble.

WHEREAS no proviſion has been made by the exiſting regulations for referring to arbitration, ſuits and conteſts reſpecting land, and it is expedient to provide for the ſame: and whereas the exiſting regulations reſpecting forcible diſpoſſeſſion from land have been found to require amendment, the following rules have been enacted, to be in force from their promulgation, throughout the territories immediately dependent on the Preſidency of Fort William.

Parties in ſuits reſpecting land, are at liberty to refer their ſuits to arbitration.

II. *First.* Parties in ſuits depending in the civil courts of judicature reſpecting the property in land, or limited tenures therein, or rights dependent thereon, ſhall be at liberty to refer their ſuits to arbitration and ſhall by all due means be encouraged by the courts to reſort to that mode of adjuſting their differences.

Rules contained in Regulation XVI, 1793, and Regulation XXI, 1803, to be conſidered applicable to ſuits referred to arbitration under the preſent regulation.

Second. The rules contained in Regulation XVI, 1793, and Regulation XXI, 1803, reſpecting the reference of ſuits to arbitration, the appointment of arbitrators and umpires, the inveſtigation of ſuits referred to arbitration, the time and mode of making the award, and the ſetting aſide or confirming the ſame, are declared applicable to ſuits referred to arbitration by the courts of judicature under this regulation.

Perſons between whom diſputes may exiſt reſpecting land are at liberty to refer the ſame to private arbitration.

III. *Firſt.* Perſons between whom diſputes may exiſt reſpecting the property of land or limited tenures therein, or rights dependent thereon, whether the ſame be or be not depending in the courts of judicature, are at liberty without any application to the courts, to refer the ſame to private arbitration; and the awards made by the arbitrators and umpires appointed in ſuch caſe by the parties, ſhall be ſupported and inforced by the courts, under the following rules and limitations.

How the award is to be carried into execution and during what period.

Second. Whenever a diſpute reſpecting the matters above enumerated ſhall have been referred to private arbitration, and an award ſhall have been duly made, if either party ſhall refuſe to perform the award, it ſhall be competent to the other party within the period of ſix months from the date of the award, to apply ſummarily to the dewanny adawlut; and upon ſuch application, if the court, after calling upon the oppoſite party for his anſwer, be ſatisfied that the award was duly made by arbitrators or umpires appointed by the free will and conſent of the parties, and ſuch award ſhall be liable to no impeachment, which would have warranted the ſetting it aſide, if it had been made under the authority of the court, ſhall cauſe the ſame to be ſummarily executed as a decree of court, calling upon the arbitrators and umpires, if neceſſary, to attend and give their aſſiſtance in the execution of their ſaid award; provided always, that if ſuch application for the inforcement of a private award ſhall not be made within the period above preſcribed, the court ſhall not admit any plea whatever for the delay; but ſhall reject ſuch application and refer the party preferring it to a regular ſuit.

Third. Whenever private awards ſhall be tendered by the parties in regular ſuits, the courts, if ſuch awards ſhall appear to have been performed, and the poſſeſſion of the conteſted property to have been held under them, ſhall allow equal validity to the ſame, as if they had been made under the authority of the courts. But if the awards tendered ſhall not have been performed at all, or ſhall have been performed only in part, the courts ſhall not admit the ſame, unleſs they be eſtabliſhed by clear and ſatisfactory proof, ſhall be diſtinct and intelligible ſo as to admit of eaſy execution, and the delay which may have occurred in the performance of them, ſhall alſo be duly accounted for.

Whenever private awards are tendered by the parties in regular ſuits, the courts how to proceed in thoſe caſes.

IV. There being reaſon to believe that decrees have been paſſed by many of the civil courts of judicature, founded both upon awards made under the authority of the court, and alſo private awards reſpecting the property in land and limited tenures therein and rights dependent thereon, it is hereby declared that after the promulgation of this regulation, no decree relating to the matters above enumerated, ſhall be amended or reverſed upon the ground of the ſame being founded on an award of arbitration not authorized by the regulations, at the time the award was made unleſs ſuch award be in itſelf open to juſt cauſe of impeachment.

No former decree of court on awards of arbitration reſpecting land ſhall be amended or reverſed after the promulgation of the preſent regulation.

Exception in what caſe.

V. *Firſt.* An opinion prevalent of the diſadvantages attendant on becoming the plaintiff in caſes of alleged forcible diſpoſſeſſion from lands, or forcible diſturbance of the poſſeſſion thereof, often preventing caſes of this nature from being brought under the cognizance of the civil courts, whereby the ſaid diſputes inſtead of being adjuſted,

The civil courts how to proceed in the adjuſtment of caſes of forcible diſpoſſeſſion of land, on their being certified from the Foujdarry, courts, that diſputes exiſt concerning any lands and that it is likely to terminate in a breach of the peace if not adjuſted.

adjuſted, frequently continue until they terminate in breaches of the peace; to remedy this inconvenience, it is hereby provided, that when a dewanny court ſhall be certified from the foujdarey court, that diſputes exiſt concerning any lands or premiſes likely to terminate in a breach of the peace if not adjuſted, the dewanny court ſhall addreſs perwannahs to the parties, calling on them to attend in perſon or by vakeel, and deliver a written ſtatement of their poſſeſſion, and adduce proof of their having been forcibly diſpoſſeſſed or diſturbed in their poſſeſſion by the adverſe party; whereupon the court after an inveſtigation of the ſtatements and evidence of both parties ſhall decide the caſe in the ſame manner as if it had been brought on by a complaint in the ordinary mode.

The civil courts to uſe every means to induce parties in caſes of forcible diſpoſſeſſion of land, to refer their diſputes to arbitration.

Second. In all the caſes of forcible diſpoſſeſſion and diſturbance of poſſeſſion mentioned above, but more eſpecially of diſputes reſpecting the boundaries of eſtates and premiſes, and the right to water for the purpoſes of irrigation, the dewanny courts are hereby authorized and required to uſe every proper means for inducing the parties to refer their diſputes to arbitration, with a view either of ſettling the poſſeſſion until the matter can be inveſtigated on a regular ſuit, or to make a complete and final adjuſtment of their differences; and the award when made, ſhall, if open to no juſt cauſe of impeachment, be executed by the court with the aſſiſtance of the arbitrators. If the parties ſhall agree to authorize the arbitrators to make a complete and final award on their differences (which mode of adjuſtment ſhall in the caſes contemplated in this ſection, be invariably promoted by the courts), the agreement to refer ſhall carefully expreſs that the award is intended to be final, and the award when confirmed by the courts, ſhall be held of the ſame force and validity as a regular judgment.

In what caſes the courts may attach the diſputed lands.

Third. And whereas on complaints for forcible diſpoſſeſſion from land and forcible diſturbance of the poſſeſſion thereof, it occaſionally happens that after due inveſtigation the fact of poſſeſſion cannot be aſcertained, it ſhall in ſuch caſes be competent to the court before whom the matter is depending, to attach the diſputed lands, and to appoint a perſon properly qualified and under adequate ſecurity to the management of the same by collecting the rents, diſcharging any public revenue demandable from the lands, and paying into court the profits which may reſult, after ſatisfying all neceſſary expences and diſburſements. But the courts are enjoined, not to reſort to this meaſure except when it may be found indiſpenſable after a careful enquiry into the poſſeſſion of the parties. Provided always, that nothing contained in this clauſe ſhall be conſtrued to exempt eſtates or lands ſo attached from the reſponſibility to which they may be ſubject for payment of the public revenue to government, according to the engagements contracted by the proprietors.

But the eſtates or lands ſo attached ſhall no be conſidered to be exempted from the payment of the public revenue to Government.

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A. D. 1813. REGULATION VII.

A REGULATION *for extending to the ceded and conquered provinces, the proviſions contained in Regulation* III, 1801, *and in Section* XIII, *Regulation* VIII, 1794; *and for reſcinding parts of Sections* XI *and* XV, *Regulation* I, 1803.—PASSED *by the Governor General in Council, on the* 17*th July* 1813; *correſponding with the* 3*d Sawun* 1220 *Bengal era; the* 4*th Sawun* 1220 *Fuſſily; the* 4*th Sawun* 1220 *Willaity; the* 4*th Sawun* 1870 *Sumbut*; *and the* 18*th Rujeeb* 1228 *Higeree.*

Preamble. WHEREAS a rule was enacted by Regulation III, 1801, for discouraging unfounded accusations of perjury, and subornation of perjury in the zillah and city courts, throughout the provinces of Bengal, Behar, Orissa, and Benares, (extended to Cuttack by Section XI, Regulation XIV, 1805;) and it has been deemed expedient, to extend the said rules to the ceded and conquered provinces; and whereas it is no longer considered necessary to continue to promulgate translations of the Regulations, in the ceded and conquered provinces, in the Hindoostanee language; and whereas it is provided by Section XXI, Regulation V, 1812, that the causes therein mentioned, shall be referred as soon as instituted to the collectors for their report, under the rule contained in Section XIII, Regulation VIII, 1794, which last mentioned rule has not been extended to the ceded and conquered provinces: The following rules are accordingly enacted, to be in force, as soon as promulgated throughout the provinces, ceded by His Excellency the Nawaub Vizier; the conquered provinces lying on the right and left banks of the river Jumna; and the territory ceded by His Highness the Peishwa in Bundlecund.

Judges of zillah courts, empowered to refer certain rent or revenue accounts to the collectors for report.

II. *First.* In causes concerning rent or revenue, between proprietors of lands, or farmers of land holding their farms immediately of Government, and their respective dependent talookdars, under farmers or ryuts; or between dependent talookdars, and their under farmers or ryuts; or between under farmers, farming lands of proprietors of land, or of farmers of land, who farm their lands immediately of Government; or of dependent talookdars and their dependent talookdars, under farmers or ryuts; or between other persons concerned in the collection or payment of land rents or revenues, either as principals or sureties; the judges of the zillah courts, are empowered to refer to the collectors of their respective zillahs, for their report, any accounts, the adjustment of which may be necessary towards the decision of the suit. The reference shall be made to the collector by a precept, under the signature of the judge, and the seal of the court, in which shall be specified, the accounts referred, and the papers which the judge may think it necessary to send in elucidation of them, and the time by which the report is to be made. The judge is further empowered to command the parties or their vakeels, and any witnesses they may have to produce, to appear before the collector, that he may examine them regarding the accounts, and to authorize the collector to administer the customary oaths (or a solemn declaration instead of an oath) to the witnesses; or to the parties, if the latter shall agree to be so examined. The collector shall submit his report on the accounts to the court, by the prescribed time, attested by his official seal and signature, or assign his reason for not having been able to complete it by the period directed. The judge, upon the receipt of the collector's report, shall either confirm, set aside, or alter, his adjustment of the accounts, or pass such decision respecting them, as may appear to him proper. But the rules in this section are not to extend to empower the judge to refer to the collector any accounts relating to suits in which the collector, or any of his public officers, or private servants, or government, may be a party.

The above rule applicable to ſuits inſtituted under Regulation V, 1812.

Second. Suits which may be instituted, under Regulation V, 1812, shall be referred, as soon as instituted, to the collectors for their report, under the rule contained in the preceding clause.

Magiſtrates not to receive charges of perjury.

III. The magistrates of the several zillah courts shall not receive any charges of perjury, which may be preferred by parties in civil suits, either against their own witnesses or against the witnesses of the adverse party, or of subornation of perjury, against the adverse parties in such suits; and all individuals whose attendance is required in the civil courts, either as plaintiffs, defendants, or witnesses, are hereby declared not to be liable to any prosecutions of this description, unless they shall be committed to take their trial by the zillah judge, under the authority vested in him by Section VIII, Regulation III, 1803.

Individuals attending in civil cauſes, not liable to proſecutions for perjury, unleſs committed for trial by the judge.

Parts of Sections XI and XV, Regulation I, 1803, requiring tranſlations of the regulations into the Hindoſtanee language, reſcinded.

IV. Such parts of Sections XI and XV, Regulation I, 1803, (extended to the conquered provinces and the territory ceded by the Peishwa in Bundlecund by Section II, Regulation VIII, 1805,) as

Such regulations to be tranſlated and printed in future in the Perſian language only.

as direct, that the regulations passed in conformity with Section II, of the said regulation, shall be translated and printed in the Hindoostanee language, are hereby rescinded. Such regulations shall, in future, be translated and printed in the Persian language only, for distribution in the provinces and territory aforesaid. The publication of Hinduvee translations having been discontinued, for some time previously to the enactment of this regulation, it is further provided, that such omission shall not be allowed as a plea against the validity of any existing regulation.

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A. D. 1813. REGULATION VIII.

A REGULATION *for defining more particularly the different claſſes of people, who ſhall be liable to be tried by the courts of criminal judicature, eſtabliſhed in the Britiſh poſſeſſions, for offences committed in foreign territories:*—PASSED *by the Governor General in Council, on the 24th July 1813; correſponding with the 10th Sawun 1220 Bengal era; the 11th Sawun 1220 Fuſſily; the 11th Sawun 1220 Willaity; the 12th Sawun 1870 Sumbut; and the 20th Rajeeb 1228 Higeree.*

Preamble.

WHEREAS doubts have ariſen reſpecting the conſtruction, which ſhould be attached to the words—"Native ſubjects of the Britiſh Government," employed in Regulation V, 1809; and whereas it is eſſential to the ends of juſtice, that the neceſſary definition ſhould be given of thoſe terms, and alſo that the proviſions of that regulation ſhould be extended to certain other claſſes of perſons to be now deſcribed, the following rule has been enacted, to be in force from the period of its promulgation throughout the territories immediately dependent on the preſidency of Fort William.

II.

What claſſes of perſons the proviſions of Regulation V, 1809, ſhould be conſidered applicable to.

II. The proviſions contained in Regulation V, 1809, for the puniſhment of crimes committed beyond the Britiſh territories in India, ſhall be conſidered applicable to the three following claſſes of perſons, and to no other.

First. Natural born ſubjects of the Britiſh Government in India.

Second. Natives of India, who may have become ſubjects of the Britiſh Government in India, by the conqueſt or ceſſion of the places in which they were born, for acts done by them ſubſequently to the period of ſuch conqueſt or ceſſion.

Third. Natives of the foreign ſtates of India, in the civil or military ſervice of the Britiſh Government in India, while actually in ſuch ſervice, and during ſix months after they ſhall have quitted the Britiſh territories; or, (ſuppoſing them to be ſtationed out of the limits of the Britiſh territories) after they ſhall have quitted the ſervice: Provided however, that nothing contained in this regulation, ſhall be conſtrued to authorize any of the eſtabliſhed courts in the Britiſh provinces to take cognizance of any charge againſt a native military officer, ſepoy, trooper, or other perſon, for which he may have been already tried by a court martial, under the 5th Article of the 15th Section of the Rules and Articles of War.

And in what caſe the eſtabliſhed courts are reſtricted from taking cognizance of any charge againſt a native military officer, ſepoy, trooper or other perſon.

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A. D. 1813. REGULATION IX.

A REGULATION *for reſtoring the puniſhment of tranſportation.*—PASSED *by the Governor General in Council, on the 24th July* 1813; *correſponding with the* 10*th Sawun* 1220 *Bengal Era; the* 11*th Sawun* 1220 *Fuſſily; the* 11*th Sawun* 1220 *Willaity; the* 12*th Sawun* 1870 *Sumbut; and the* 20*th Rajeeb* 1228 *Higeree.*

IT having been deemed expedient to reſtore the puniſhment of tranſportation in the territory, dependent on the preſidency of Fort William, the following rule has been enacted, to be in force throughout the ſaid territory from its promulgation.

Preamble.

II. *Firſt.* Clauſes Firſt and Second, of Regulation XIV, 1811, are hereby reſcinded; and Clauſe Second, Section VIII, Regulation LIII, 1803, is declared to be revived and in full force.

Clauſes Firſt and Second, Regulation XIV, 1811, reſcinded; and Clauſe Second, Section VIII, Regulation LIII, 1803, revived.

Second. Provided always, that it ſhall be competent to the Governor General in Council to detain in the jail at Allypore, for any period which he may deem expedient, any convicts ſentenced to tranſportation.

The Governor General in Council competent to detain in the jail at Allypore any convicts ſentenced to tranſportation, for any period which he may deem expedient.

Third. It is moreover declared, that all convicts ſentenced to tranſportation, ſhall be ſent to ſuch of the Britiſh ſettlements in Aſia,

Convicts ſentenced to tranſportation, ſhall be

ſent to ſuch of the Britiſh ſettlements in Aſia as the Governor General in Council ſhall appoint.

Transferring of convicts from one ſettlement to another.

What convicts may be exempted from removal.

Aſia, as the Governor General in Council ſhall appoint; and ſhall alſo be liable to be employed at any places within the limits of the ſettlement, to which they ſhall be ſent, which ſhall from time to time be fixed on by the local adminiſtration. A power is further veſted in the Governor General in Council of transferring convicts from one place to another in the ſettlements aforeſaid; and ſuch transfer is hereby authoriſed as often as the ſame may be found requiſite. The Governor General in Council however, previouſly to ordering ſuch transfers, will conſult the local adminiſtration upon the propriety of allowing any convicts to be exempted from removal, whoſe good conduct ſhall have merited this indulgence, or who from ſickneſs or infirmity, may not be fit objects to be removed.

A. D. 1813. REGULATION X.

A REGULATION *for reducing to one regulation, with alterations and amendments, the regulations at preſent in force reſpecting the manufacture and ſale of ſpirituous liquors, intoxicating drugs, taury and putchwy.* — PASSED *by the Governor General in Council, on the 21ſt Auguſt* 1813; *correſponding with the 7th Bhadoon* 1220 *Bengal Era*; *the 9th Bhadoon* 1220 *Fuſſily; the 8th Bhadoon* 1220 *Willaity; the 10th Bhadoon* 1870 *Sumbut; and the 23d Shabaan* 1228 *Higeree.*

WHEREAS it has been deemed adviſable, with a view to Preamble. the more effectual prevention of the unauthorized manufacture and ſale of ſpirituous liquors diſtilled according to the country proceſs, that diſtilleries ſhould be eſtabliſhed at, or near to, each of the cities or towns at which the collectors of the land revenue reſide, and eventually at other places; to be conducted under the immediate control of the collectors or other officers inveſted with the charge of the Abkarry Mohaul; and whereas it is neceſſary to provide for the collection of the eſtabliſhed duties on ſpirituous liquors diſtilled according to the

European pr[illegible]ces ſituated at a diſtance from Calcutta; and whereas it will tend to the public convenience to reduce the whole of the regulations at preſent in force with reſpect to that branch of the public revenue, and reſpecting likewiſe the duties on intoxicating drugs, taury, and putchwy, to one regulation, with alterations and amendments; the following rules have been paſſed, to be in force from the commencement of the enſuing Fuſſily, Willaity, and Bengal years, in the different diſtricts in which thoſe eras are reſpectively current.

Regulations reſcinded.

II. Regulations XXXIV and LI, of 1793; Regulation I, of 1794; Regulation XLVII, of 1795; Section IV, Regulation VII, of 1797; Regulation VI, of 1800; Sections XXII, XXIII, XXIV, and XXV, of Regulation II, of 1802; Regulation XL, of 1803; Section XXVI, Regulation VIII, of 1805; Regulation XX, of 1806; Regulations I and III, of 1808; Regulation V, of 1811; and Regulation XIII, of 1812; are hereby reſcinded.

A ſufficient ſpot of ground to be encloſed in or near every town where a collector or aſſiſtant collector is ſtationed, to be denominated the ſudder diſtillery of the diſtrict.

III. *Firſt.* In or near every city and town, at which a collector or aſſiſtant collector (as at Chittra and Bancoorah) of the land revenue is or may be ſtationed, a ſufficient ſpot of ground ſhall be encloſed, either by a wall or other fence, according as the Board of Revenue or Board of Commiſſioners may direct; to be denominated the ſudder diſtillery of the diſtrict, in which it may be eſtabliſhed.

Diſtance within which no ſtills may be conſtructed.

Second. No ſtills ſhall be conſtructed, kept, or worked within four coſs of any of the diſtilleries above deſcribed, or of the boundary of the city or town in or near which they may be eſtabliſhed, except within the circumference of the ſaid diſtilleries or encloſures; and no perſon ſhall be permitted to int[illegible] thoſe limits, ſpirits manufactured at any other plac[illegible]

How the rate of duty is to be

Third. The rate of duty to be levied on the produce of the abovementioned diſtilleries reſpectively, ſhall be fixed by the Board of Revenue and Board of Commiſſioners according as they may be eſtabliſhed within the diſtricts ſubject to the authority of thoſe Boards, at or before the commencement of each current Bengal, Fuſſily and Willaity years.

fixed on the produce of the diſtilleries.

Fourth. The duty ſhall be paid (agreeably to the rate per gallon, which may be eſtabliſhed) under the preceding clauſe in the ſeveral diſtricts reſpectively, by the vender or other perſon by whom it may be removed from the diſtillery; and each gallon ſhall weigh 304 Sicca Weight.

By whom the duty ſhall be paid, and what each gallon ſhall weigh.

Fifth. No liquor ſhall be allowed to be removed from any of the ſaid diſtilleries, but under a paſs from the collector or aſſiſtant collector.

No liquor to be removed from the diſtilleries, except under a paſs from the collector or aſſiſtant collector.

IV. Each ſudder diſtillery ſhall be placed under the immediate charge of a native ſuperintendent, who ſhall be denominated darogah of the ſudder diſtillery of the diſtrict in which it may be eſtabliſhed, who ſhall keep an account of the quantity and ſtrength of the ſpirits manufactured in the diſtillery, and who ſhall be reſponſible to the collector or aſſiſtant collector, that no liquor be removed from the diſtillery without a regular paſs.

Deſignat[illegible] the perſon [illegible] whom th[illegible] der diſt[illegible] ſhall be [illegible] [illegible] wh[illegible] counts h[illegible] keep.

V. On granting licenſes agreeably to form (No. 1.) annexed to this regulation for the ſale of ſpirits manufactured in a ſudder diſtillery, the collector or aſſiſtant collector ſhall adjuſt with the venders, the number of gallons which they ſhall reſpectively receive each day from the diſtillery, and the duty on the quantity ſo fixed, according to the rate previouſly ſettled by the Board of Revenue or Board of Commiſſioners under Clauſe Third, Section III, of the preſent regulation; and monthly paſſes ſhall be iſſued to the venders accordingly.

The collector or aſſiſtant collector to adjuſt with the venders, the number of gallons which they may reſpectively receive each day from the diſtillery, and the duty on the quantity ſo fixed.

VI. A paſs prepared agreeably to the form (No. 2) annexed to

What kind of paſs to be granted to each licenſed vender every month.

to this regulation, ſhall be granted every month to each licenſed vender ſpecifying the name of the vender, the number and ſituation of his ſhop, and the quantity of ſpirits to be paſſed daily; and the darogah of the diſtillery ſhall certify daily on the back of each paſs, the quantity of ſpirits iſſued from the diſtillery, and likewiſe the hour at which the liquor may have been removed.

Extra paſſes to be granted for any additional quantity of ſpirits obtained from a ſudder diſtillery.

VII. Perſons licenſed to retail ſpirits, being the produce of a ſudder diſtillery, who may be deſirous of obtaining from ſuch diſtillery a quantity of ſpirits exceeding the number of gallons ſpecified in their monthly paſſes, ſhall upon payment of the eſtabliſhed rate of duty on ſuch additional quantity, be furniſhed by the collector or aſſiſtant collector with an extra paſs, to be prepared agreeably to the form (No. 3) annexed to this Regulation.

No ſpirits to be removed from any ſudder diſtillery, the ſtrength of which may exceed 25 per cent below London proof.

VIII. It is to be clearly underſtood, that no ſpirits ſhall be removed from any ſudder diſtillery, the ſtrength of which may exceed twenty-five per cent below London proof. If the proceſs obſerved in the manufacture ſhall produce ſpirits exceeding that ſtandard, they ſhall be reduced to that ſtrength previouſly to their removal from the diſtillery.

Penalties on perſons who may be diſcovered in any attempts to evade the rules preſcribed by this regulation.

IX. All perſons, who may be diſcovered in any attempts to evade the rules preſcribed by this regulation for the management of ſudder diſtilleries, either by the eſtabliſhment of ſtills within the prohibited limits; by the introduction of ſpirits manufactured at other places, or by attempts to convey ſpirits from the diſtillery, without a proper paſs from the collector or aſſiſtant collector, or without the atteſtation of the ſuperintendent; or exceeding the quantity ſpecified in any ſuch paſs; ſhall on conviction, be ſubject to the penalties herein after preſcribed by Section XXII, of this Regulation.

Regiſter of paſſes to be kept by the collector or

X. A regiſter of all paſſes which may be iſſued, ſhall be kept by the collector or aſſiſtant collector, and the paſſes ſhall be returned by the venders at the expiration of the period for which they have been granted, and when they are no longer in force.

aſſiſtant collector, and the venders to return their paſſes when no longer in force.

XI. For the convenience of venders reſiding in large cities and principal towns, the Board of Revenue and Board of Commiſſioners are hereby authorized to ſanction the eſtabliſhment of two diſtilleries, but not more, for the ſupply of each of ſuch cities and towns. In caſes, likewiſe, in which thoſe Boards may be of opinion, that diſtilleries can be advantageouſly and conveniently eſtabliſhed at any of the other large towns, in the interior of the different diſtricts on the footing of the ſudder diſtilleries, they are hereby empowered to have recourſe to that meaſure; being careful, however, not to ſanction them except in caſes in which they can be vigilantly [controlled by the collectors or aſſiſtant collectors.

In large cities and principal towns, the Board of Revenue, and Board of Commiſſioners authorized to ſanction the eſtabliſhment of two diſtilleries, but not more.

The Board of Revenue and Board of Commiſſioners may likewiſe authorize the eſtabliſhment of diſtilleries, at any of the other large towns in the interior of the different diſtricts, on the footing] of the ſudder diſtilleries.

XII. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to furniſh the collectors or aſſiſtant collectors, ſubject to their authority reſpectively, with ſuch inſtructions as they may deem beſt calculated for the internal control of the diſtilleries, eſpecially with the view of preventing the admixture of noxious drugs with the ſpirits; of encouraging the introduction of an improved method of diſtillation; and the uſe of the beſt materials, and of preventing the illicit removal of ſpirits.

The Boards to furniſh the collectors with inſtructions for the internal control of the diſtilleries.

XIII. *Firſt.* In addition to the diſtillery or diſtilleries, which may be eſtabliſhed under the control of the collector of the 24-Pergunnahs for the ſupply of the ſuburbs of Calcutta, and of the villages and places lying within four coſs of the city, another diſtillery ſhall be eſtabliſhed in the vicinity of Calcutta for the ſupply of the city itſelf, to be conducted on the principles eſtabliſhed for the management of the ſudder diſtilleries ſo far as thoſe principles may be conſiſtent with the proviſions of the legiſlature for regulating the ſale of ſpirits within the city.

A ſeparate diſtillery to be eſtabliſhed in the vicinity of Calcutta for the ſupply of the city itſelf, in addition to the diſtillery or diſtilleries which may be eſtabliſhed under the control of the collector of the 24-Pergunnahs.

Second.

Spirits manufactured at the ſeparate diſtillery in the vicinity of Calcutta, ſhall on no account be ſold or conſumed in any other place except in the city of Calcutta.

Penalties for infringing this rule.

Second. Spirits manufactured at the diſtillery laſt mentioned, ſhall on no account be ſold or conſumed in any place except in the city of Calcutta, and under licenſes obtained for that purpoſe from His Majeſty's juſtices of the peace. Any perſon infringing or attempting to infringe this rule, ſhall be ſubject to the penalties eſtabliſhed for the illicit manufacture and ſale of ſpirituous liquors by Section XXII, of this regulation.

The collector of the 24-Pergunnahs to concert with the magiſtrates of Calcutta the beſt means of preventing the illicit ſale of ſpirits manufactured for the ſupply of the city, in any place beyond its limits.

Third. It ſhall be the duty of the collector of the 24-Pergunnahs, to concert with the magiſtrates of Calcutta, the beſt means of preventing the illicit ſale of ſpirits manufactured at the diſtillery eſtabliſhed for the ſupply of the city in any place beyond its limits.

Rules to be obſerved reſpecting the manufacture and ſale of ſpirituous liquors at places ſituated more than four coſs from the ſudder diſtilleries.

XIV. *First.* The following rules ſhall be obſerved with reſpect to the manufacture and ſale of ſpirituous liquors at places ſituated more than four coſs from the ſudder diſtilleries, or diſtilleries eſtabliſhed on that principle, in the interior of the different zillahs.

The rate of duty how to be fixed and when.

Second. The rate of duty ſhall be fixed by the collectors, with the ſanction of the Board of Revenue, or Board of Commiſſioners, as the caſe may be, at or before the commencement of every Bengal, Fuſſily, or Willaity year, in the ſeveral pergunnahs, or other known diviſions of the different diſtricts.

The Board of Revenue and Board of Commiſſioners to cauſe the higheſt rates of duty to be fixed.

Third. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to cauſe the higheſt rates of duty to be fixed which can be introduced, without giving riſe to the illicit manufacture and ſale of ſpirits.

Applications for licenſes ſhall ſpecify whether the manufacture and ſale ſhould be conducted at one and the ſame place, or

Fourth. Perſons propoſing to take out licenſes under this regulation, ſhall uniformly ſpecify in their applications for ſuch licenſes, whether it is intended that the manufacture and ſale ſhould be conducted at one and the ſame place, or at different

place

places, and licenſes ſhall be granted in conformity to the forms (No. 4 and 5,) annexed to this regulation accordingly.

at different places.

Fifth. A caboolyet ſhall be executed by perſons obtaining licenſes for the manufacture and ſale of ſpirituous liquors under this ſection, in ſtrict conformity to the tenor of ſuch licenſes.

A caboolyet to be executed by perſons obtaining licenſes.

Sixth. The rate of duty having been fixed under Clauſe Second, and the licenſes and caboolyets having been interchanged between the collectors and the diſtillers, the duty ſhall be levied at the expiration of every ten or twenty days, or at the cloſe of each month, as may appear to the collectors moſt convenient, ſubject of courſe to any inſtructions which they may receive on this point from time to time from the Board of Revenue and Board of Commiſſioners.

And the duty to be levied every ten or twenty days, or at the cloſe of each month.

Seventh. Any licenſe which may be iſſued under theſe rules, ſhall only be conſidered to authorize the eſtabliſhment of one ſtill. If the diſtiller ſhall be deſirous of keeping and working more than one ſtill, he ſhall take out a ſeparate licenſe or licenſes, conformably to the number of ſtills, and ſhall pay increaſed duty accordingly.

Separate licenſes to be taken out by the diſtiller, when he may be deſirous of keeping and working more than one ſtill, and to pay the encreaſed duty accordingly.

Eighth. It will be the duty of the collectors to adopt the neceſſary means, to prevent the introduction of ſpirits manufactured under this ſection, into any place ſituated within four coſs of the ſudder diſtilleries, or of the city or town, at or near which they may be eſtabliſhed, or of any diſtillery eſtabliſhed on that principle in the interior of any of the diſtricts.

The collectors to prevent the introduction of ſpirits manufactured under this ſection, into any place ſituated within four coſs of the ſudder deſtilleries.

XV. *Firſt.* Taury ſhall not be ſold, whether in a fermented or unfermented ſtate, except under licenſes from a collector, aſſiſtant collector, or other officer in charge of the abkarry mohaul, for which the venders ſhall pay a certain daily tax to Government.

Taury not to be ſold except under licenſes from a collector or aſſiſtant collector, or other officer in charge of the abkarry mohaul, for which the venders are to pay a daily tax.

Second.

The Board of Revenue and Board of Commiſſioners to determine the rate of duty to be eſtabliſhed on the ſale of taury.

Second. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to determine at or before the commencement of each Bengal, Fuſſily, or Willaity year, the rate of duty which ſhall be eſtabliſhed on the ſale of taury in the different towns and villages in the ſeveral diſtricts, ſubject to their authority reſpectively.

Putchwye not to be ſold except under licenſes for which the venders are to pay a daily tax.

XVI. *Firſt.* Putchwye ſhall not be ſold except under licenſes from a collector, aſſiſtant collector, or other officer in charge of the abkarry mohaul, for which the venders ſhall pay a certain daily tax to Government.

The Board of Revenue and Board of Commiſſioners to determine the rate of duty to be eſtabliſhed on the ſale of Putchwye.

Second. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to determine at or before the commencement of each Bengal, Fuſſily, and Willaity year, the rate of duty which ſhall be eſtabliſhed on the ſaid article in the different towns and villages of the ſeveral diſtricts ſubject to their authority reſpectively.

Intoxicating drugs (including opium) not to be ſold except under licenſes, for which the venders are to pay a daily tax.

XVII. *Firſt.* Intoxicating drugs, (including opium,) whether in a dry ſtate or infuſed in water or any other fluid, ſhall not be ſold except under licenſes from a collector, aſſiſtant collector, or other officer in charge of the abkarry mohaul, for which the venders ſhall pay a certain daily tax to Government.

The Board of Revenue and Board of Commiſſioners to determine the rate of duty to be eſtabliſhed on the ſale of intoxicating drugs.

With the exception of churrus, muddut, or koppah.

Second. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to determine at or before the commencement of each Bengal, Fuſſily, and Willaity year, the rate of duty which ſhall be eſtabliſhed on the ſale of intoxicating drugs in the different towns and villages of the ſeveral diſtricts ſubject to their authority reſpectively. Provided however, that nothing contained in this ſection ſhall be conſtrued to authorize the ſale of the articles, denominated churrus, muddut or koppah; theſe articles being of a moſt noxious quality and highly prejudicial to health.

Third. The retail ſale of opium under the proviſions of this regulation, ſhall be confined to one or two of the principal towns in each diſtrict, and it ſhall be the duty of the collectors to diſcourage to the utmoſt extent of their means, the ſale and conſumption of opium, except for medicinal purpoſes.

The retail ſale of opium to be confined to one or two of the principal towns in each diſtrict, and the collectors to diſcourage the ſale and conſumption of opium, except for medicinal purpoſes.

Fourth. Opium being a monopoly of government, the collectors or other officers inveſted with the charge of the abkarry mohaul, ſhall ſtate to the Board of Trade, from time to time, the quantity which may be required for the conſumption of their reſpective diſtricts, and the Board of Trade ſhall iſſue the neceſſary orders to the neareſt opium agent, or to their ſecretary, to furniſh the required ſupply; Provided, however, that if the Board of Trade ſhall in any caſe be of opinion, that the quantity indented for is greater than can be required for medicinal purpoſes in any city or diſtrict, they ſhall be competent to limit the ſupply accordingly.

The officers in charge of the abkarry mohaul, to ſtate to the Board of Trade, the quantity of opium which may be required for their reſpective diſtricts.

The Board of Trade to iſſue orders for the ſupply.

The Board of Trade deemed competent to limit the ſupply.

Fifth. Licenſed retail venders of opium ſhall pay, in addition to the daily tax, which may be eſtabliſhed under Clauſe Second of this ſection, the ſum of ten rupees per ſeer of 72¾ ſicca weight to the ſeer, for all the opium received by them, and the amount ſo paid, ſhall be carried to the credit of the Opium Department, after deducting the eſtabliſhed commiſſion of the collectors.

Retail venders of opium to pay the ſum of ten rupees per ſeer, for all the opium received by them, in addition to their daily tax.

XVIII. *Firſt.* For the more convenient collection of the duties on ſpirituous liquors, intoxicating drugs, and other articles, in places ſituated beyond the limits to which the operation of the ſudder diſtilleries is to extend, officers ſhall be appointed by the collectors, to be denominated abkarry darogahs, for the collection of the ſaid duties in all ſuch places.

The collectors to appoint officers for the collection of the duties on ſpirituous liquors and other articles in places ſituated beyond the limits to which the operation of the ſudder diſtilleries is to extend, who are to be denominated abkarry darogahs.

Second. The local limits of the authority of the abkarry darogahs reſpectively, ſhall be ſettled by the Board of Revenue and Board of Commiſſioners, who will recommend to Government what allowances thoſe officers ſhould receive.

The local limits of the authority of the abkarry darogahs to be ſettled by the Board of Revenue and Board of Commiſſioners who will recommend to Government the allowances which they ſhould receive.

Third.

The office of abkarry darogah may be united with that of tehſildar, or may be veſted in ſeparate perſons, as the Boards may deem adviſable.

Third. The office of abkarry darogah may either be united with that of tehſildar, in diſtricts in which the latter office exiſts, or may be veſted in ſeparate perſons, according as the Board of Revenue, and Board of Commiſſioners, may deem moſt adviſable.

The abkarry darogah competent to apprehend and ſend to the collector, any perſons having an unlicenſed ſtill, or engaged in the illicit ſale of ſpirituous liquors and other articles.

Fourth. It ſhall be competent for perſons holding the office of abkarry darogah, to apprehend and ſend to the collector, any individual having an unlicenſed ſtill in his poſſeſſion, or engaged in the illicit ſale of ſpirituous liquors, taury, putchwye, or intoxicating drugs.

And the collector how to proceed againſt illicit dealers.

Fifth. In the caſes mentioned in the preceding clauſe, the collector ſhall regularly proceed in the manner hereafter preſcribed in Section XXII, of the preſent regulation, with regard to other illicit dealers.

The Board of Revenue and Board of Commiſſioners to furniſh the collectors with detailed inſtructions for the guidance of the abkarry darogahs.

Sixth. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to furniſh the collectors with ſuch detailed inſtructions for the guidance of the abkarry darogahs, as they may deem beſt calculated to enſure a faithful diſcharge of the duties entruſted to the ſaid officers.

The collectors may let the duties leviable on the manufacture and ſale of ſpirituous liquors, in any pergunnah or known diviſion of a diſtrict to farm, for a period not exceeding one year, with the ſanction of the Board of Revenue or Board of Commiſſioners.

XIX. *Firſt.* In caſes in which it may be deemed adviſable, the collectors are hereby authorized, with the ſanction of the Board of Revenue or Board of Commiſſioners, as the caſe may be, to let the duties leviable on the manufacture and ſale of ſpirituous liquors in any pergunnah or other known diviſion of a diſtrict to farm, for a period not exceeding one year.

In caſes in which it may be judged adviſable, the Boards may iſſue an advertiſement inviting propoſals for the farm of the duties leviable on the manufacture and ſale of ſpirituous liquors, and the higheſt offers to be accepted.

Second. In caſes in which an arrangement of this nature may be judged adviſable by either of the abovementioned Boards, an advertiſement ſhall be iſſued, ſignifying that propoſals will be received for a certain time for the farm of the duties leviable on the manufacture and ſale of ſpirituous liquors, and the higheſt offers, provided they be accompanied with good and ſubſtantial ſecurity, ſhall be accepted.

Third. Whenever the duties on ſpirits may be let to farm in any pergunnah or other known diviſion of a diſtrict under the foregoing clauſes, it ſhall be competent to the farmer to make his own arrangements with the manufacturers and venders within the limits of his farm, and no perſons excepting thoſe, who may be regularly authorized by the farmer, ſhall manufacture or ſell ſpirits within thoſe limits, on pain of incurring the penalties eſtabliſhed by Section XXII of the preſent regulation.

The farmer of the duties to make his own arrangements with the manufacturers and venders, within the limits of his farm, and no other perſons authorized to manufacture and ſell ſpirits within thoſe limits.

Fourth. Nothing contained however in the preceding clauſes of this ſection, ſhall be conſtrued to authorize the collectors or the abovementioned Boards, to let the duties on ſpirits to farm at any place included within the limits preſcribed for the ſudder diſtilleries.

Reſtriction.

Fifth. Thoſe Boards are likewiſe required to be careful that no arrangement of this ſort be adopted, except in remote pergunnahs or other places where the manufacture and ſale are not liable to interfere with the revenue derived from ſtills ſpecially licenſed by the collectors.

No arrangement of the above deſcription to be adopted except in remote pergunnahs.

XX. *Firſt.* By Regulation II, 1802, rules have been eſtabliſhed for levying a duty on ſpirits manufactured at diſtilleries conſtructed and worked according to the European proceſs, the collection of which is entruſted by the ſaid regulation to the juſtices of the peace acting in and for the diſtricts adjacent to Calcutta. It being impracticable however for the ſaid juſtices to levy the duties on diſtilleries of that deſcription, which are or may be eſtabliſhed beyond thoſe limits; it is hereby declared and provided, that no Britiſh ſubject ſhall be allowed to reſide at any place beyond the 24 Pergunnahs and diſtricts immediately adjacent to Calcutta, in poſſeſſion or charge of any diſtillery conſtructed and worked in the manner above noticed, unleſs he ſhall engage to pay the duties eſtabliſhed by Regulation II, 1802, through the medium of ſuch officer as may be appointed by the Board of Revenue

No Britiſh ſubject to be allowed to reſide at any place beyond the 24-Pergunnahs and diſtricts immediately adjacent to Calcutta, in poſſeſſion or charge of any diſtillery conſtructed and worked according to the European proceſs, unleſs he ſhall engage to pay the duties eſtabliſhed by Regulation II, 1802.

Proviſo.

venue or Board of Commiſſioners to adjuſt and receive the ſame, and otherwiſe to conform to all the proviſions contained in the ſaid regulation; provided however, that nothing contained in this regulation, ſhall be conſtrued to invalidate or otherwiſe affect the contract at preſent ſubſiſting between Government and the proprietor of the diſtillery eſtabliſhed near Cawnpore, for the ſupply of rum for the army during the term of the ſaid contract.

The Board of Revenue and Board of Commiſſioners to appoint perſons for the adjuſtment and collection of the duties to be collected from diſtilleries of the above deſcription beyond the limits above deſcribed.

Second. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to appoint ſuch perſon as they may judge moſt adviſable, for the adjuſtment and collection of the duties to be collected from any diſtilleries of the above deſcription beyond the limits already ſtated, reporting the arrangement ſo made for the confirmation or reviſion of Government.

Perſons, who may be convicted of the illicit manufacture and ſale of ſpirituous liquors, taury, putchwye, and intoxicating drugs including opium, liable to fine or impriſonment.

XXI. A general prohibition being eſtabliſhed by the preſent regulation againſt the unlicenſed manufacture and ſale of ſpirituous liquors, taury, putchwye, and intoxicating drugs, including opium; any perſon who may be convicted (in the manner herein after deſcribed) of ſuch illicit manufacture or ſale, ſhall be liable to the payment of a fine not exceeding rupees five hundred, or, in the event of the fine not being duly diſcharged, to impriſonment in the dewanny jail of the diſtrict, in which ſuch conviction may take place, for a period not exceeding ſix months.

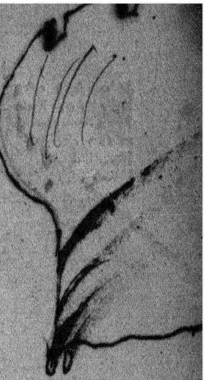
Inveſtigations reſpecting the illicit manufacture or ſale of ſpirituous liquors, taury, &c. to be conducted by the collectors of the land revenue.

XXII. *First.* All inveſtigations, which it may be neceſſary to inſtitute reſpecting the illicit manufacture or ſale of ſpirituous liquors, taury, putchwye, or intoxicating drugs, including opium, ſhall be conducted by the collectors of the land revenue, or other public officers entruſted with the charge of the abkarry mohaul.

Collectors how to proceed againſt perſons infringing the prohibition noticed in the preceding ſection.

Second. Whenever any charge may be preferred, or information lodged on oath againſt any perſon for the infringement of the prohibition noticed in the preceding ſection, or whenever any reaſonable ground of ſuſpicion ſhall incidentally appear againſt

any



any ſuch perſon, from proceedings which may be holden by the collector in any other caſe, it ſhall be competent for the collectors or other officers entruſted with the charge of the abkarry mohaul, to cauſe the perſon charged with, or ſuſpected of, the ſaid offence to be apprehended, in order that a regular enquiry may be made into the merits of the caſe.

Inveſtigations to be commenced on the arrival of the parties, and proſecuted with the leaſt poſſible delay.

The Boards to require periodical reports from the collector.

Third. Inveſtigations under this ſection, ſhall be commenced immediately on the arrival of the party accuſed or ſuſpected at the cutcherry of the collector, and ſhall be proſecuted with the leaſt poſſible delay. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners to require ſuch periodical reports or returns, regarding the diſcharge of this duty by the collectors, as may appear to thoſe Boards beſt calculated to enable them, to judge whether the enquiries in queſtion are conducted with the leaſt poſſible delay, and whether the parties impleaded, do not ſuffer any inconvenience which can be avoided.

How fines ſhall be levied from perſons convicted before a collector.

Fourth. Any perſon convicted before a collector of the offence of manufacturing or ſelling any of the articles ſpecified in Clauſe Firſt of this ſection, ſhall be adjudged by the collector to pay ſuch fine, as on due conſideration of the circumſtances of the caſe may be deemed proper, not exceeding the ſum ſpecified in Section XXI , or in default of payment, to be confined for a period, not exceeding the term ſpecified in the ſame rule.

He ſhall then be ſent to the judge of the city or zillah who will give the neceſſary directions for the execution of the orders.

Fifth. Whenever any perſon may be adjudged to pay a fine or to be impriſoned for the illicit ſale and manufacture of ſpirituous liquor, or other articles under theſe rules, he ſhall be immediately ſent with a certificate to the judge of the city or zillah, ſtating the purport of the order paſſed againſt the perſon in queſtion; and the judge ſhall on thoſe grounds, give the neceſſary directions for the execution of the order accordingly.

Rules to be obſerved in regard

Sixth. Perſons, who after the inveſtigation preſcribed by theſe rules, to perſons who may not have been convicted of the charges imputed to them.

rules, ſhall not have been convicted of the offence, with which they ſtood charged or ſuſpected, ſhall be immediately releaſed, and the expence, to which they have been actually ſubject on account of the enquiry, ſhall be paid to them by the collectors on the part of Government. Should it further appear on inveſtigation, that the enquiry originated in malice, or in motives clearly vexatious and unwarranted on the ſide of the informant, it ſhall be competent for the collectors to order ſuch informant to pay to the party aggrieved ſuch moderate fine, not exceeding, however, in any caſe twenty rupees as may appear reaſonable, or to be confined for a period not exceeding fifteen days. Orders paſſed under this rule, ſhall be enforced in the ſame manner as fines impoſed for the illicit manufacture and vend of prohibited articles, under Clauſe Fifth of this ſection.

How perſons may proceed to complain, who deem themſelves aggrieved by the inveſtigation or judgment of the collectors.

Seventh. Perſons deeming themſelves aggrieved by any inveſtigation inſtituted under this regulation, or by the judgment paſſed by the collectors, or in any other reſpect, ſhall be at liberty to prefer their complaint to the Board of Revenue or Board of Commiſſioners, either through the medium of the collectors themſelves, or by means of vakeels; and thoſe Boards, after calling for ſuch information as they may require from the collectors, ſhall confirm or modify the judgment given, or paſs ſuch other orders on the ſubject as may appear to them moſt conformable to the principles of ſubſtantial juſtice.

Perſons thro' whoſe means the illicit manufacture and ſale may be detected, ſhall be entitled to a moiety of the fine.

Eighth. A moiety of any fines which may be levied under the proviſions contained in this ſection, ſhall be paid to the perſon or perſons through whoſe means the illicit manufacture or ſale may have been detected.

In caſes in which a fine cannot be levied, the informant will be paid a reward of ten rupees.

Ninth In caſes in which it may be neceſſary to impriſon the offender, and in which a fine cannot or may not be levied from him, a reward of ten rupees ſhall be paid on the part of Government to the informant or informants, in lieu of his or their ſhare of the above mentioned fine.

XXIII. With the view of reſtraining the illicit manufacture and ſale of ſpirituous liquors, the collectors, and other perſons inveſted for the time being, with the charge of the abkarry mohaul, ſhall be deemed competent in the caſes herein after deſcribed, to iſſue ſearch-warrants for the diſcovery of unlicenſed ſtills, or the produce of ſuch ſtills.

Collectors deemed competent to iſſue ſearch-warrants.

XXIV. *Firſt.* Search-warrants of the deſcription of thoſe mentioned in the preceding ſection, ſhall not be iſſued unleſs the collectors ſhall have ſtrong grounds to believe either from charges ſpecifically preferred on oath, or from their own perſonal knowledge, or from information incidentally obtained from the proceedings holden in any other caſe that ſpirituous liquors are illicitly manufactured, ſold, or depoſited on the premiſes propoſed to be ſearched.

In what caſes ſearch warrants are to be iſſued.

Second. Search-warrants ſhall only be executed in the day time, that is, between ſun-riſe and ſun-ſet, and if poſſible, in the preſence of two or more reſpectable inhabitants of the village in which the houſe or place propoſed to be ſearched may be ſituated.

Search-warrants to be executed in the day time.

Third. All ſearch-warrants which may be iſſued under this ſection, ſhall be addreſſed to the nazir, abkarry darogah, or other officer, on the fixed eſtabliſhment of the collectors.

To whom the ſearch-warrants are to be addreſſed.

Fourth. It ſhall be the duty of the magiſtrates, darogahs of police, and other officers of that department, to ſupport the officers of the collectors in the diſcharge of the duty, which may be delegated to them under this ſection: provided however, that nothing contained in theſe rules ſhall be conſtrued to authorize the officers of the collectors to enter the zenana or apartments of the women, in houſes belonging to perſons of reſpectability and credit, that is, of all thoſe claſſes whoſe women do not ordinarily appear in public.

The magiſtrates and other officers of police to ſupport the officers of the collectors.

The officers of the collectors prohibited from entering the zenana or apartments of the women.

Fifth. Perſons, who may be detected by the means above deſcribed in the illicit manufacture of ſpirits, or in ſelling or concealing

Penalties on perſons who may be detected in the ma-

ſpirits

nufacture of, or in ſelling or concealing ſpirits.

ſpirits ſo manufactured, ſhall be liable to the penalties eſtabliſhed by Section XXII of the preſent regulation, and on judgment being formally paſſed by the collectors, it ſhall be enforced in the mode preſcribed in Clauſe Fifth of that ſection.

Rules reſpecting the ſale of ſpirits in cantonments.

XXV. *Firſt.* No ſpirituous liquors ſhall be manufactured or ſold within the limits of any military cantonment, but under licenſes from the collectors; nor ſhall any ſuch licenſes be granted by the collectors, but with the knowledge and concurrence of the commanding officers.

The diſtillers and venders in cantonments to be preciſely on the ſame footing as the diſtillers and venders at other places.

Second. Whenever licenſes may be granted under the preceding clauſe for the manufacture or ſale of ſpirituous liquors in any of the cantonments, the diſtillers and venders ſhall be conſidered to be preciſely on the ſame footing with reſpect to the duty payable by them, and all other queſtions connected with the manufacture and ſale, as diſtillers and venders eſtabliſhed in other places.

How a ſtill or ſhop in a cantonment may be ſuppreſſed.

Third. Should the commanding officer of a cantonment be of opinion, that any practical inconvenience is experienced from any ſtills or ſhops which may have been eſtabliſhed in the ſaid cantonment, he ſhall communicate his ſentiments on the ſubject to the collector, who ſhall immediately order ſuch ſtills or ſhops to be ſuppreſſed.

How a ſtill or ſhop in the vicinity of a cantonment may be ſuppreſſed.

Fourth. Should a commanding officer of a cantonment be of opinion that any inconvenience is experienced from any ſtill or ſhop eſtabliſhed in the vicinity of the ſaid cantonment, he ſhall ſtate his ſentiments to the collector, who ſhall either order the ſtill or ſhop in queſtion to be ſuppreſſed, or refer the caſe to the Board of Revenue or Board of Commiſſioners, who will order the ſhop to be ſuppreſſed or otherwiſe, or to be removed to a greater diſtance from the cantonment as may appear to them, on conſideration of all the circumſtances of the caſe to be proper.

Commanding officers of cantonments to be careful that no obſtructions be given by the people ſubject to their command to the officers of the collectors.

Fifth. The collectors being authorized, under Sections XXII and XXIII, of the preſent regulation, to apprehend perſons charged with the illicit ſale and manufacture of ſpirituous liquors; and to iſſue ſearch-warrants, with a view to the prevention of illicit manufacture and vend; it ſhall be the duty of the commanding officers of cantonments to be careful, that no obſtruction be given by the people ſubject to their command to the officers of the collectors in the diſcharge of the ſaid duties: provided however, that the collectors ſhall apply to the commanding officers for their aſſiſtance, in all caſes in which no public inconvenience is likely to ariſe from that meaſure, and ſhall uniformly report to them the reſult of the ſearch.

Collectors may apply for aſſiſtance to the commanding officers.

Two reſponſible ſecurities to be given by manufacturers or venders of ſpirits, &c.

Or a depoſit made in lieu of the ſecurity.

XXVI. Perſons deſirous of taking out licenſes for the manufacture or ſale of ſpirituous liquors, intoxicating drugs, including opium, taury, or putchwye, ſhall give the ſecurity of two reſponſible perſons for the due performance of their engagements; provided however, that if any ſuch manufacturer or vender ſhall make a depoſit either in caſh or bank notes equal to the amount of the duty payable by him for twenty days, ſuch depoſit ſhall be received in lieu of the ſecurity to be otherwiſe required.

For what period the licences to be iſſued.

XXVII. Licences for the manufacture and ſale of the different articles ſpecified in the preceding ſection, ſhall be iſſued for one year only, or ſuppoſing them not to be taken out at the commencement of the year, for the remainder of the Bengal, Fuſſily, or Willaity year, ſo that the whole of the licences in the different diſtricts, in which thoſe eras are reſpectively current, may ceaſe and determine together.

In what caſe licences may be cancelled.

XXVIII. Licences taken out for the manufacture and ſale of ſpirituous liquors, intoxicating drugs, including opium, taury, or putchwye, ſhall be liable to be cancelled at the diſcretion of the collector, or other officer inveſted with the charge of the abkarry mohaul, in caſe ſuch manufacturer or diſtiller ſhall in any caſe

fail

Poſtponing the annulment of licences.

fail to pay the duty, for which he had engaged during a period of fifteen days; provided however, that if the collector or other officer ſhall have grounds to believe that ſuch failure has ariſen from unforeſeen circumſtances, and not in any deſign to defraud the public revenue, it ſhall be competent for him to poſtpone the annulment of the licenſe during a period of fifteen days more.

Licenſed manufacturers and venders at liberty to ſurrender their licences on giving fifteen days previous notice to the collector and paying a certain amount.

XXIX. Perſons licenced to manufacture or vend ſpirituous liquors, intoxicating drugs, taury, and putchwye, ſhall be at liberty to ſurrender their licenſes on giving fifteen days previous notice to the collector, and paying a ſum equal to the tax for that period, over and above the amount payable by them in the ordinary courſe, and under the engagements contracted by them with the collector.

Proprietors of land and others how to be proſecuted for conniving at the eſtabliſhment of ſhops for the illicit manufacture and vend of ſpirituous liquors, &c.

XXX. *First.* There being reaſon to believe, that proprietors, farmers, and managers of lands, both paying revenue to Government, and held free of aſſeſſment, frequently authorize or connive at the eſtabliſhment of ſhops for the illicit manufacture and vend of ſpirituous liquors and intoxicating drugs; it is hereby enacted, with a view to the ſuppreſſion of all ſuch illegal and unwarrantable practices, that on all occaſions of that nature, it ſhall be the duty of the collector of the abkarry duties to inſtitute ſuits with the ſanction of the Board of Revenue or Board of Commiſſioners, but not otherwiſe, againſt perſons ſo offending; and if it ſhall be proved to the ſatisfaction of the court before which any ſuch ſuit may be inſtituted, that any proprietor, farmer, ſezawul, tehſildar, gomaſhtah, ſerbarakar, or other manager of land, ſhall have authorized or connived at the eſtabliſhment of a ſhop for the manufacture or ſale of ſpirituous liquors, putchwye, taury, or intoxicating drugs, whether in a dry ſtate, or infuſed in water, or other fluid the ſaid court ſhall adjudge the offender to pay ſuch a fine to government as it may deem proportioned to the offence; due conſideration being had to the ſituation in life, and to the pecuniary circumſtances of the ſaid offender.

Second. Suits which may be inſtituted under this ſection, ſhall be decided on a ſummary enquiry, under the proviſions contained in Regulation VII, 1799.

The ſuits inſtituted under this ſection, how to be decided.

XXXI. The collectors of the land revenue ſhall, in ordinary caſes, be intruſted with the management of the abkarry revenue, and ſhall be entitled to a commiſſion of five per cent on the net amount realized by them. The Governor General in Council however reſerves to himſelf the power of nominating any other public officer, or deputing ſpecially any other covenanted ſervant of the Honorable Company, to take charge of the abkarry collections in any diſtrict, in which that meaſure may appear to him to be neceſſary; and officers who may be ſo nominated or deputed, ſhall be entitled to exerciſe all the powers, and to enjoy the emoluments granted to collectors of the land revenue by this regulation.

The abkarry revenue to be intruſted to the collectors of the land revenue, who ſhall be entitled to a commiſſion.

Power reſerved to the Governor General in Council to appoint any other perſon to take charge of the abkarry collections.

XXXII. Under the foregoing proviſions, the powers hitherto veſted in the zillah and city magiſtrates to ſuppreſs ſhops eſtabliſhed for the ſale of ſpirituous liquors, are reſcinded. It is however of courſe to be underſtood, that the magiſtrates will be ſtill competent to take cognizance of any diſorderly conduct, breach of the peace, or other public crime or miſdemeanor, committed by any of the perſons to whom this regulation refers. In all caſes of that nature, the magiſtrates are to be guided by the general rules which have been or may be eſtabliſhed for the apprehenſion and puniſhment of public offenders.

In what caſes the magiſtrates are to take cognizance of offences committed by perſons to whom the preſent regulation refers.

No. 1.

No. 1.

FORM OF LICENCE to be granted to venders eſtabliſhed at places ſituated within the limits preſcribed for ſudder diſtilleries.

LICENCE No. ——— for the ſale of ſpirits at ——— during the year ——— F. S. or B. S.

I A. B. collector of ——— do hereby, under the following conditions, authorize C. D. to open a ſhop for the retail of ſpirits at ——— :

1ſt. All ſpirits ſold at the ſaid ſhop, ſhall be manufactured within the ſudder diſtillery at ———.

2d. The ſaid C. D. ſhall pay to Government, a daily tax of ———, and ſhall be entitled to paſs from the ſudder diſtillery ——— gallons of ſpirits per diem, during the year ——— B. S. or F. S.

3d. The ſaid C. D. ſhall be entitled to paſs from the ſudder diſtillery ſuch further quantities of ſpirits as he may require for conſumption in his ſhop upon payment of a duty of ——— per gallon.

4th. A regular paſs ſhall be granted by the collector on the firſt day of every month, to the ſaid C. D. to enable him to paſs the preſcribed quantity of ſpirits from the diſtillery.

5th. Extra paſſes ſhall be granted to C. D. on application, the duty being previouſly paid.

6th. Any attempt to vend ſpirits manufactured at any other place, than the ſudder diſtillery above deſcribed, or to remove ſpirits from the ſudder diſtillery without a paſs, or without payment of the eſtabliſhed duty, ſhall ſubject the ſaid C. D. to the forfeiture of this licence, and to the penalties, preſcribed by Regulation X, 1813, to be inflicted on unlicenced venders,

Given under my hand and ſeal,
this ——— day of ——— 181

Regiſtered
No. ——— of ———

A. B.
Collector.

No. 2.

Bowannypore Shop. } MURKUND SAHA.

Paſs ——— gallons of ſpirits per diem, from the 1ſt to the 31ſt of ——— 181 .

A. B.

Collector.

Shop,

No. ———.

L. S.

Paſs,

No. ———.

To be ſigned by the ſeriſhtadar or head officer of the abkarry mohaul. On the back of this paſs, the darogah of the ſudder diſtillery ſhall each day atteſt the iſſue of the quantity of ſpirits ſpecified, and the hour at which it is removed.

No. 3.

EXTRA PASS.

No. ———.

Bowannypore Shop. } MURKUND SAHA.

No. ———.

Received Sa. Rs. ———————.

Paſs ——— gallons of ſpirits, this day, the ——— of ——— 181 .

A. B.

Collector.

L. S.

To be ſigned or ſealed by the head officer of the abkarry department.

No. 4.

FORM OF LICENCE to be granted to perſons authorized to manufacture and ſell ſpirits, at one and the ſame place, beyond the boundaries preſcribed for the ſudder diſtilleries.

LICENCE No. —— for the manufacture and ſale of ſpirits at —— during the year —— B. S. or F. S.

WHEREAS by the authority of the Governor General in Council, I A. B. collector of the zillah of —— authorize C. D. to work a ſtill for the manufacture of ſpirituous liquors at —— pergunnah —— during the year —— F. S. or B. S. it is required of the ſaid C. D. as a condition of his licence remaining in force, that he duly and faithfully perform, and abide by the following articles:

1ſt. That he pay to government a daily tax of —— ſicca rupees.

2d. That he uſe only one ſtill, and that ſuch ſtill ſhall not contain more than fifty ſeers of eighty ſicca weight.

3d. That he confine the vend of the produce of his ſtill to one ſhop, to be attached to the building in which the ſtill is erected.

4th. That he ſhall not allow any quantity of liquor exceeding one ſeer (or quart) to be removed from his ſhop under any pretence whatever.

5th. That he ſhall not harbour robbers, thieves, or riotous perſons, but on the contrary, give information to the neareſt magiſtrate, or police officer, of any ſuſpected perſons who may reſort to his ſhop.

6th. That he ſhall not receive any goods or wearing apparel, or property, in barter for liquor.

7th. That he ſhall not open his ſhop before ſun-riſe, nor keep it open after ſun-ſet, and that he ſhall not harbour any perſons in it during the night.

8th. That he ſhall have conſtantly fixed up, on the outer door of his ſhop, a ſign or board, bearing an inſcription in the current language of the country to the following effect:—

Upon any breach of the above conditions, this licence ſhall be held to be forfeited. All officers of government are hereby prohibited from impoſing or exacting any tax or ceſs under any pretence whatever on the ſaid C. D. on account of the ſaid ſtill during the aforeſaid period, beyond the tax required to be levied from him by the regulations, and they are alſo prohibited from moleſting or interrupting him in the proſecution of his profeſſion while he conforms to the above ſpecial proviſions, and to all other regulations that relate to him.

Given under my hand and Seal,
this ——— day of ——— 181

Regiſtered ———
No. ——— of ———

A. B.
Collector.

No. 5.

FORM OF LICENCE to be granted to perſons authorized to manufacture ſpirits at one place, and to retail at another, both places being ſituated beyond the boundaries preſcribed for the ſudder diſtilleries.

Licence No. ——— for the manufacture of ſpirits at ——— during the year ——— B. S. or F. S. and for the retail at ——— for the ſame period.

WHEREAS by the authority of the Governor General in Council, I A. B. collector of the zillah of ———, authorize C. D. to work a ſtill for the manufacture of ſpirituous liquors at ——— pergunnah ———, and to eſtabliſh a ſhop for retailing the produce thereof at ——— for the year ——— B. S. or F. S. It is required of the ſaid C. D. as a condition of his licence remaining in force, that he duly and faithfully perform, and abide by the following articles :·

1ſt. That he pay to Government a daily tax of ——— ſicca rupees.

2d. That he uſe only one ſtill to be worked at ———, and that ſuch ſtill ſhall not contain more than fifty ſeers of eighty ſicca weight.

3d. That he confine the vend of the produce of his ſtill to one ſhop, in the town or village of ———, the particular ſituation of which will be preſcribed to him, and that he ſhall not permit any ſpirits which may be manufactured by him, to be ſold or diſpoſed of at any other place, without an expreſs licence for that purpoſe.

4th. That he ſhall not allow any quantity of liquor exceeding one ſeer (or quart) to be removed from his ſhop under any pretence whatever.

5th. That he ſhall not harbour robbers, thieves, or riotous perſons, but on the contrary give information to the neareſt magiſtrate, or police officer, of any ſuſpected perſons who may reſort to his ſhop.

6th. That he ſhall not receive any goods, or wearing apparel, or property in barter for liquor.

7th. That he ſhall not open his ſhop before ſun-riſe, nor keep it open after ſun-ſet, and that he ſhall not harbour any perſons in it during the night.

8th. That he ſhall have conſtantly fixed up, on the outer door of his ſhop, a ſign or board, bearing an inſcription in the current language of the country, to the following effect:—

"LICENSED VENDER OF SPIRITS."

Upon any breach of the above conditions, this licence ſhall be held to be forfeited. All officers of Government are hereby prohibited from impoſing or exacting any tax or ceſs, under any pretence whatever, on the ſaid C. D. on account of the ſaid ſtill during the aforeſaid period, beyond the tax required to be levied from him by the regulations; and they are alſo prohibited from moleſting or interrupting him in the proſecution of his profeſſion while he conforms to the above special provisions, and to all other regulations that relate to him.

Given under my hand and ſeal,
Regiſtered this ——— day of ——— 181
No. ——— of ———.
A. B.
Collector.

No. 6.

FORM OF LICENCE to be granted to perſons authorized to vend taury, putchwye, and intoxicating drugs, including opium.

Licence No. ——— for the ſale of [drugs, taury, or putchwye] at ——— during the year ——— B. S. or F. S.

WHEREAS by the authority of the Governor General in Council, I A. B. collector of the zillah of ———, authorize C. D. to open a ſhop for the ſale of [drugs, taury or putchwye] in the city [town or village] of ——— in ——— for the year ——— B. S. or F. S. It is required of him as a condition of this licence remaining in force, that he duly and faithfully perform and abide by the following articles :—

1ſt. That he pay to Government a daily tax of ——— ſicca rupees.

2dly. That he confine his ſale of [taury, drugs or putchwye,] to the ſhop for which his licence is granted, and on no account ſell any [drugs, taury or putchwye] without the limits of the above city, [town or village,] or eſtabliſh a ſecond ſhop within ſuch limits without taking out another licence for the ſame.

3dly. That he prevent gaming, and diſorder, within his ſhop.

4thly. That he do not harbour thieves or riotous perſons, but on the contrary give information to the neareſt magiſtrate, or police officer, of any ſuſpected perſons who may reſort to his ſhop.

5thly. That he do not receive any goods, or wearing apparel, or other property in barter for (drugs, taury or putchwye.)

6thly. That he do not open his ſhop before ſun-riſe, nor keep it open after ſun-ſet, and that he do not harbour any perſons in it during the night.

7thly. That he will have conſtantly fixed up, on the outer door of his ſhop, a ſign or board, bearing an inſcription to the following effect, in the current language of the country :—

" LICENSED VENDER OF [DRUGS, TAURY OR PUTCHWYE]."

Upon any breach of the above conditions, this licence ſhall be conſidered forfeited. All officers of Government are hereby prohibited from impoſing or exacting any tax or ceſs, under any pretence whatever, on the ſaid C. D. on account of the ſaid ſhop during the aforeſaid period, beyond the tax required to be levied by the regulations, and they are alſo prohibited from moleſting or interrupting him in the proſecution of his profeſſion while he conforms to the above ſpecial proviſions, and to all other regulations that relate to him.

Given under my hand and Seal,
this ——— day of ——— 181 .

Regiſtered ———
No. ——— of ———.

A. B.
Collector.

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A. D. 1813. REGULATION XI.

A REGULATION *for modifying ſome of the rules before eſtabliſhed reſpecting the payment of penſions, and for preventing the abuſes committed in the receipt of penſions:*—PASSED *by the Governor General in Council, on the 28th August* 1813*; correſponding with the 14th Bhadoon* 1220 *Bengal era*; *the 16th Bhadoon* 1220 *Fuſſily; the 15th Bhadoon* 1220 *Willaity*; *the 2d Bhadoon* 1870 *Sumbut*; *and the 1st Ramzaan* 1228 *Higeree.*

Preamble.

WHEREAS there are grounds to believe, that conſiderable abuſes have been, and ſtill are committed in the receipt of penſions, by which means the Government is annually defrauded of a conſiderable ſum, and individuals derive pecuniary advantages from practices, which in fact merit exemplary puniſhment; and whereas it is on every account eſſential to reſtrain and eradicate abuſes of the above deſcription, the following rules have been enacted, to be in force throughout the provinces immediately dependent on the Preſidency of Fort William, from and after the 1ſt October 1813.

II.

Payment of penſions in general to be ſtopped from and after the 1ſt of October 1813, until due enquiry ſhall have been made reſpecting the title of the penſioners to the receipt of them.

II. The payment of penſions generally ſhall be ſtopped from and after the 1ſt of October next, until the individuals by whom they may have been hitherto received, ſhall prove to the ſatisfaction of the Board of Revenue or Board of Commiſſioners, through the medium of the collector of the diſtrict in which ſuch individuals reſide, that they were the original grantees; and as ſuch, adjudged entitled to the penſions hitherto received by them under the general regulations; or that they have been regularly declared entitled to ſucceed to the enjoyment of the ſaid penſions: provided however, that this rule ſhall only be conſidered applicable to penſions of the deſcription of thoſe ſpecified in Regulation XXIV, 1793; Regulation XXXIV, 1795; Section XXX, Regulation XII, 1805, and Regulation XXIV, 1803; and to penſions granted to natives lately in the ſervice of Government for their ſubſiſtence, and to ſuch as were heretofore iſſued from the Judicial and Commercial Departments, but have been lately ordered to be paid by the collectors of the land revenue; and ſhall not be conſidered to extend to ſtipends or penſions payable under exiſting treaties, or in conformity to arrangements adopted in the Political and Military Departments.

To what deſcription of penſions, the preſent rules to be applicable.

To what other penſions they are not to extend.

A regiſter of individuals to be prepared by the collectors.

III. *Firſt.* It ſhall be the duty of the collectors in making the reviſion above preſcribed of the penſion liſt of their reſpective diſtricts, to prepare an exact regiſter of the individuals, who on ſuch reviſion may be deemed entitled to a continuance of the penſions hitherto received by them, in ſuch form as may be deemed beſt calculated to identify the different individuals, and according to ſuch inſtructions as they may receive on this point for their guidance from the Board of Revenue and Board of Commiſſioners reſpectively.

The collectors to correct the regiſter whenever a penſion may revert to Government, &c.

Second. It ſhall likewiſe be the duty of the collectors to correct the ſaid regiſter carefully as often as any penſions may revert wholly or in part to Government, or whenever other individuals, than thoſe by whom the penſions are at preſent received, ſhall be adjudged entitled to the reverſion of them.

IV. Penſions exceeding fifty rupees per annum, whether in the lower or weſtern provinces, ſhall be paid in the mode preſcribed by Section XIV, Regulation XXIV, 1793, and Section XIII, Regulation XXIV, 1803. For the accommodation however of individuals, the payment of any authorized penſions will be transferred from one diſtrict to another, on the application of the party entitled to receive it, in caſes in which no public inconvenience ſhall appear to attend the adoption of that arrangement.

Penſions exceeding fifty rupees per annum, to be paid in the mode preſcribed by the proviſions in Regulations XXIV, 1793, and XXIV, 1803.

Authorized penſions may be transferred from one diſtrict to another.

V. *First.* Sections XV and XVI, Regulation XXIV, 1793, and Sections XIV and XV, Regulation XXIV, 1803, are hereby reſcinded.

Sections XV and XVI, Regulation XXIV, 1793, and Sections XIV, and XV, Regulation XXIV, 1803, reſcinded.

Second. Perſons entitled to penſions not exceeding fifty rupees per annum, ſhall attend once in each year, that is, on the iſſue of the firſt quarterly payment at the cutcherries of the collectors for the purpoſe of identifying themſelves by reference to the regiſters ordered to be kept by Clauſe Firſt, Section III, of this regulation, and by ſuch other enquiries as the collectors may deem it neceſſary to make in order to guard againſt frauds in the payment of ſuch penſions: provided however, that in caſes in which the collectors may be ſatisfied, after making the fulleſt enquiries poſſible on the ſubject, that the penſioners are actually precluded by ſickneſs or infirmity from attending in perſon, or that they are women, who according to the uſages of the country, do not ordinarily appear in public, the firſt quarterly payment ſhall be iſſued to any perſon duly authorized to receive the amount on the part of ſuch penſioners.

Perſons receiving penſions not exceeding fifty rupees per annum, to attend once in each year at the cutcherries of the collectors on the iſſue of the firſt quarterly payment for the purpoſe of identifying themſelves.

Third. The three remaining quarterly payments ſhall be made by any officer on the regular eſtabliſhments, to whom the collectors may think proper to commit the performance of this duty. It ſhall be the duty of the officer ſo ſelected, to repair to the reſidence of the different penſioners; to aſcertain fully whether the recorded penſioners be living; whether the perſons claiming the

different

The three remaining quarterly payments of the penſions may be made by any officer whom the collector may direct to perform that duty.

different penſions be the perſons actually authorized to receive them ; to iſſue ſuch penſions only as are indiſputably receivable ; to refer all queſtions of doubt to the collector for his orders ; and finally to report the reſult of the duty entruſted to him.

A reward equivalent to the amount of any penſion for the period of ſix months, will be paid to any perſon who may prove that the penſion is fraudulently received.

VI. With a view to the more effectual diſcovery and ſuppreſſion of the abuſes which, as noticed in the preamble to this regulation, have been committed with reſpect to the penſion liſt, a reward ſhall be paid equivalent to the amount of any penſion for the period of ſix months, to any perſon who ſhall prove through the regular channel to the ſatisfaction of the Board of Revenue or Board of Commiſſioners, that ſuch penſion is fraudulently or unduly received by the perſon enjoying the benefit of it.

* * *

Recd 15. October 1813

A. D. 1813. REGULATION XII.

A REGULATION *for modifying ſome of the proviſions in the regulations before enacted for the collection of the Government customs and town duties.*—PASSED *by the Governor General in Council on the 30th September 1813; correſponding with the 16th Aſſin 1220 Bengal era; the 20th Aſſin 1221 Fuſſily; the 17th Aſſin 1220 Willaity; the 6th Aſſin 1870 Sumbut; and the 4th Shawul 1228 Higeree.*

WHEREAS it is enacted by Sections III and IV, Regulation XIX, 1812, that the cuſtom houſes eſtabliſhed at Gazeepore and Mirzapore, ſhall be ſubject to the control of the collector of Government cuſtoms and town duties at Benares; and it having been judged adviſable that the principal cuſtom houſe in the province of Benares ſhould be eſtabliſhed at Mirzapore; and whereas it has likewiſe been deemed adviſable, that a duty ſhould be levied on bullion exported from Calcutta to Europe and America, the following rules have been enacted, to be in force from the period of their promulgation. Preamble.

II.

Principal cuſtom houſe eſtabliſhed at Mirzapore.

II. *First.* The principal cuſtom houſe for the collection of Government cuſtoms and town duties in the province of Benares, ſhall be in future eſtabliſhed at Mirzapore.

A ſubordinate cuſtom houſe eſtabliſhed at the city of Benares.

The deputy collector of cuſtoms at Benares and Gazeepore, ſubject to the control of the collector of cuſtoms at Mirzapore.

Second. A ſubordinate cuſtom houſe ſhall be eſtabliſhed for the collection of Government cuſtoms and town duties at the city of Benares: the deputy collector of Government cuſtoms and town duties at the city of Benares and at Gazeepore, ſhall be ſubject to the general control of the collector of cuſtoms and town duties at Mirzapore, conformably to the principles on which ſuch control has been hitherto exerciſed by the collector of cuſtoms at Benares, as defined in Regulations IX and X, 1810, and Regulation XIX, 1812.

Duty to be levied on the exportation of coin or bullion to Europe or America.

Exception

III. A duty ſhall be levied on all coin or bullion exported from Calcutta, Chittagong or Ballaſore, either to America or Europe, at the rate of three per cent, if exported on Britiſh veſſels, and of ſix per cent, if exported on foreign bottoms: provided however, that nothing contained in the preſent or in any former regulation, ſhall be conſtrued to authorize the collection of any duty on the exportation of coin or bullion to any other place, excepting Europe and America, as aforeſaid.

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A.D. 1813. REGULATION XIII.

A REGULATION *to provide for the appointment and maintenance of police chokeydars in the cities of Dacca, Patna, and Moorſhedabad.*—PASSED *by the Governor General in Council, on the 2d October* 1813*; correſponding with the* 18*th Aſſin* 1220 *Bengal era; the* 22*d Aſſin* 1221 *Fuſſily; the* 19*th Aſſin* 1221 *Willaity*; *the* 8*th Aſſin* 1870 *Sumbut*; *and the* 6*th Shawul* 1228 *Higeree.*

WHEREAS, with a view to the eſtabliſhment of an efficient police in the cities of Dacca, Patna, and Moorſhedabad, it is expedient to provide for the appointment and maintenance of adequate eſtabliſhments of chokeydars in aid of the regular police; and whereas it is juſt and expedient that the communities, for whoſe benefit and protection ſuch eſtabliſhments may be entertained, ſhould defray the charge of their maintenance; the following rules have accordingly been enacted, to be in force in the aforeſaid cities, from the date of their promulgation. Preamble.

II.

Police chokeydars entertained in the cities of Dacca, Patna and Moorſhedabad, by whom to be appointed and maintained.

II. All chokeydars, whom it may be judged neceſſary to appoint, in aid of the police in the cities of Dacca, Patna and Moorſhedabad, ſhall hereafter be nominated, appointed, and maintained by the reſpective communities, for whoſe benefit and protection ſuch ſubſidiary police eſtabliſhments may be required; and which communities are accordingly hereby declared chargeable with the expenſe of maintaining ſuch chokeydars, ſubject to the limitations and proviſions following:—

Liſts of mohullahs of the cities to be prepared.

III. On receipt of this regulation, the magiſtrates of the aforeſaid cities ſhall cauſe to be prepared liſts of the ſeveral mohullahs of thoſe cities, in which they may judge the appointment of chokeydars neceſſary for the purpoſes ſpecified, and on the completion of ſuch liſts, the magiſtrates ſhall proceed to cauſe the appointment, in the manner hereafter directed, of the requiſite eſtabliſhments of chokeydars, not including however any mohullahs, in which either from the poverty of the inhabitants or their ſcanty population, it may not appear neceſſary to entertain ſuch eſtabliſhments.

Chokeydars to receive a monthly allowance in money.

IV. All chokeydars, who may be appointed under the proviſions of this regulation, ſhall be paid in money only, and ſhall receive a ſalary, the amount of which ſhall be determined at the diſcretion of the magiſtrate, not being leſs than three rupees per menſem.

The number of chokeydars to be appointed, how regulated.

V. The number of chokeydars to be appointed in each mohullah of the aforeſaid cities, ſhall likewiſe be determined at the diſcretion of the magiſtrate, with reference to the known or apparent condition of the inhabitants, not however exceeding in any mohullah the average number of two chokeydars to every fifty ſhops or occupied habitations.

Limitation of the amount to be collected monthly for the payment of chokeydars.

VI. The aggregate ſum to be collected monthly from the inhabitants of the ſeveral mohullahs to provide for the payment of their reſpective chokeydars, ſhall not exceed the average rate of two annas per menſem from the proprietor, or, in the abſence of the proprietor, from the occupier or occupiers of each ſhop or habitation.

Perſons to be appointed for carrying into effect the proviſions of this regulation, which relate to the appointment and payment of the chokeydars.

VII. On completion of the liſts ſpecified in Section III, the magiſtrates of the aforeſaid cities ſhall cauſe the attendance before them of a convenient number of the principal merchants or other ſubſtantial houſeholders of each mohullah, in which the appointment of chokeydars may be deemed requiſite, and ſhall require ſuch perſons to nominate within a period not exceeding fifteen days, ſome one or more reſpectable perſon or perſons, being alſo a ſubſtantial houſeholder or houſeholders of ſuch mohullah, for the purpoſe of carrying into effect the proviſions of this regulation, ſo far as relates to the nomination, appointment, and payment of the chokeydars to be entertained, and to the collection of their monthly ſtipends; provided however, that the number of perſons aſſociated in the execution of the ſaid truſt, ſhall not in any mohullah exceed four.

Rule of proceeding againſt an alleged defaulter.

VIII. It being provided by the eighth article of the ſunnud annexed to this regulation, that if any perſon ſhall refuſe or decline to pay his quota after it ſhall have become due, ſuch defaulter ſhall be forwarded under the charge of a chokeydar to the magiſtrate; it is hereby required, that the magiſtrate ſhall examine into the merits of the caſe; and having queſtioned the defaulter and the chokeydar, and made ſuch further enquiry as may appear neceſſary, ſhall proceed to paſs a deciſion on the caſe, and ſuch deciſion ſhall be conſidered final.

Mode of realizing arrears due from a defaulter.

IX. Should it appear, on the ſummary inveſtigation directed by the preceding ſection, that any arrear is due from the alleged defaulter, the magiſtrate ſhall iſſue inſtructions to the perſon or perſons holding the preſcribed ſunnud to levy the ſame by diſtreſs and ſale of ſuch part of the defaulter's property, as may ſuffice for the liquidation of the arrear, rendering to the party any overplus ariſing from the ſale, which ſhall in all caſes be as public as practicable; and ſhall be noticed one day previouſly by beat of drum in the mohullah: in the event of reſiſtance being oppoſed to ſuch diſtreſs and ſale of property, the police darogah of the diviſion ſhall afford the requiſite aſſiſtance; but the diſtreſs ſhall invariably be withdrawn and the property reſtored to the defaulter, ſhould the amount due be paid previouſly to the ſale.

Holders of ſunnuds not to be ſummoned unneceſſarily.

X. As an inducement to perſons of reſpectability to accept the truſt veſted in them by this regulation, as well as in order to obviate the public inconvenience that might ariſe from ſuch perſons being unneceſſarily ſummoned to the courts of juſtice, it is hereby declared, that no perſon or perſons holding a ſunnud under the proviſions of Section XVI, ſhall be ſummoned by the magiſtrate reſpecting any complaint preferred under this regulation, unleſs reaſonable grounds ſhall have been ſhown for believing, that ſuch perſon or perſons have abuſed the powers veſted in them by the foregoing proviſions.

Magiſtrates of the cities empowered to annul any ſunnud under this regulation.

XI. The city magiſtrates are hereby authorized to annul any ſunnud, which may be granted under this regulation, whenever they ſhall deem proper, from any inattention, neglect, or miſconduct, of the holder or holders of ſuch ſunnuds, and to nominate and appoint any other fit perſon or perſons for the performance of the duties ſpecified therein.

Appointment and maintenance of the chokeydars, how provided for in default of the inhabitants to nominate and maintain their own chokeydars.

XII. Should the inhabitants of any mohullah neglect to appoint chokeydars, or fail to nominate a perſon or perſons for the collection and payment of their ſtipends, as required by this regulation, or ſhould the perſons, who may be nominated, object to accept the truſt ſo tendered, the magiſtrate of the city ſhall proceed to fix the aſſeſſment, and to appoint the requiſite number of chokeydars by means of the darogah of the ward, or of the city cotwal, under the rules and limitations ſpecified in Sections IV, V, and VI, and further to cauſe the amount of their monthly

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pay to be levied in the manner ſpecified in the eighth article of the ſunnud; but this diſcretion ſhall not be exerciſed except in caſes of indiſpenſable neceſſity for the objects in view; and any ſuch interpoſition of the authority of the magiſtrate ſhall be withdrawn, whenever the inhabitants of the mohullah in queſtion ſhall ſignify in writing to the magiſtrate, their wiſh to appoint and maintain their chokeydars in the manner otherwiſe provided for by this regulation.

Perſons deeming themſelves diſproportionably aſſeſſed or aggrieved, how to obtain redreſs.

XIII. Any individual, who may conſider himſelf aggrieved by the aſſeſſment, which may be fixed under the fifth article of the ſunnud, or who ſhall be altogether unable to pay the monthly contribution, with which he may be aſſeſſed, ſhall be at liberty to appeal to the magiſtrate, by a petition to be preſented upon ſtampt paper, ſetting forth the grounds of diſſatisfaction or alleged grievance; and on the party making oath to the truth of the circumſtances therein ſtated, the magiſtrate, after ſuch enquiry as he ſhall deem neceſſary, will either amend the rate of aſſeſſment, or grant ſuch other relief as may appear juſt and proper; and the deciſion of the magiſtrate on all ſuch petitions ſhall be final.

Specification of the duties of chokeydars appointed under this regulation.

XIV. It ſhall be the duty of the chokeydars who may be appointed under this regulation, conſtantly to watch over and protect the ſafety of the perſons and property of the inhabitants of their reſpective mohullahs; to apprehend and immediately to convey to the darogah of the ward or city cotwal, to whoſe authority they may be ſubject, any perſon who may be taken in the act of committing murder, robbery, houſe breaking, or theft, or in the actual commiſſion of any ſerious breach of the peace, or againſt whom a hue and cry ſhall have been raiſed; it ſhall alſo be their ſpecial duty to convey to the darogah of the ward, or cotwal, immediate intelligence of the reſort of any receivers of ſtolen goods, or of any robbers or other perſons of notorious or ſuſpected bad livelihood, within the limits of their reſpective mohullahs, eſpecially to the ſhops eſtabliſhed for the ſale of ſpirituous liquors; but they ſhall not on any account interfere in petty aſſaults, in caſes of abuſe, adultery, abortion, or in any other caſes not cognizable in the firſt inſtance by the cotwal, or darogah of the ward.

Chokeydars not removable without the ſanction of the magiſtrate, and how puniſhable for neglect, miſconduct or other offence.

XV. Chokeydars of police appointed under this regulation, ſhall not be removed without the ſanction of the magiſtrate, and any chokeydar who may be proved guilty of any neglect or miſconduct in the diſcharge of his duties, or who may be convicted of connivance at the commiſſion of any robbery or other heinous offence, ſhall be diſmiſſed by the magiſtrate from his ſituation, and ſhall be further puniſhable, as the law directs.

Sunnuds of appointment to be granted.

XVI. Sunnuds of appointment bearing the official ſeal and ſignature of the magiſtrate, ſhall be granted to the perſons, who may be nominated under the proviſions of Section VII of this regulation, ſpecifying the purpoſes of their appointment, and the nature and extent of the powers veſted in them according to the tenor and form following:—

Form of Sunnud.

Whereas (name or names) inhabitant or inhabitants of (name of mohullah) of (name of the ward and city) is or are hereby appointed to regulate and ſuperintend the aſſeſſment, collection, and payment of the monthly wages of the chokeydars entertained for the protection of the inhabitants of the aforeſaid (mohullah) ſubject to the rules, and veſted with the following powers, ſo long as this ſunnud ſhall remain in force.

Firſt. You are hereby veſted with the nomination and appointment of all chokeydars, who may be entertained for the protection of the aforeſaid mohullah.

Second. On receipt of this ſunnud, you are to nominate and appoint chokeydars to every fifty (or greater number to be here ſpecified) ſhops or occupied habitations contained in the ſaid mohullah, reporting the number and names of the chokeydars ſo appointed, within the period of one month from the date of the ſunnud, to the darogah of the ward or city cotwal, to whoſe juriſdiction the ſaid mohullah may appertain.

Third. You are to pay each of the ſaid chokeydars, a monthly ſalary of (amount to be here ſpecified), which amount you are to aſſeſs and collect from the inhabitants of the ſaid mohullah in the manner following:

Fourth. The amount to be collected by you, ſhall not exceed the average rate of two annas per menſem from the proprietor of each ſhop or occupied habitation, or the total ſum of ſix rupees four annas from every fifty ſhops or occupied houſes (if only one chokeydar be employed to fifty houſes, the average rate of only one anna per menſem from each houſe to be ſpecified in lieu of two annas.)

Fifth. You are hereby empowered to regulate and fix, under the preceding rule, in concert with a convenient number of reſpectable houſeholders of the ſaid mohullah, the amount to be paid monthly by the proprietor or principal occupier of each ſhop or habitation. You are to determine the rate of aſſeſſment, as equitably as practicable, with reference to the viſible or known circumſtances of each ſhopkeeper or houſeholder; provided that no individual, whatever may be his means or his condition in life, ſhall be ſubjected to a higher rate of aſſeſſment than four annas per menſem, to ſupply any deficiency, that might ariſe from the inability of others of the inhabitants to contribute in a due proportion.

Sixth. You are authorized and required at the commencement of each year, in concert with a convenient number of the reſpectable houſeholders reſiding in the mohullah, to reviſe and to modify the rate of aſſeſſment in ſuch manner as either from any viſible change in the means of any of the contributors, or from any death, change of reſidence, or other circumſtances, ſhall appear juſt or neceſſary, to provide for the payment of the chokeydars entertained, ſubject always to the rule and limitation of the amount ſpecified above.

Seventh. The payment of the quota of each individual when fixed, ſhall be made two months in advance, in order to provide for the regular payment of the chokeydars, and all ſubſequent collections ſhall be made at the expiration of each enſuing month.

Eighth. You are authorized to make ſuch collections by means of the ſaid chokeydars; and if any perſon ſhall refuſe or neglect to pay his quota, after it ſhall have become due, you are authorized to forward the defaulter to the magiſtrate, under charge of a chokeydar, accompanied by a ſtatement of the caſe.

Ninth. You are to pay the fixed monthly wages of the chokeydars from the amount collected for that purpoſe, and are to take their receipts as vouchers for ſuch payment, forwarding the ſame monthly to the darogah of the ward, or the city cotwal, and you are to keep an account of your receipts and diſburſements for the ſatisfaction or occaſional inſpection of any of the inhabitants of the ſaid mohullah, and of the magiſtrate.

Tenth. The overplus remaining after paying the wages of the chokeydars, you are authorized to appropriate to defray the charge of providing paper and other articles neceſſary for the due diſcharge of the duties confided to you, but you are required to keep a regular account of ſuch overplus and expenditure, for the occaſional inſpection of the magiſtrate.

Eleventh. You are to make known to the darogah of the ward, or the city cotwal, or directly to the magiſtrate, any incapacity, neglect, or miſconduct of any chokeydar entertained within the limits of your mohullah; and on the occurrence of any vacancy from death, removal, or other cauſe, you are immediately to nominate and appoint a ſucceſſor, reporting the name of the perſon ſo appointed to the darogah of the ward, or to the cotwal of the city, for the approval of the magiſtrate.

Recd 12th Novem
1817

Recd 6th December

A. D. 1813. REGULATION XIV.

A REGULATION *for abolishing the duties before established on the importation of horses by sea, or through the district of Cuttack.*—PASSED *by the Governor General in Council, on the 6th November* 1813*; corresponding with the* 22*d Cartick* 1220 *Bengal era; the* 28*th Cartick* 1221 *Fuſſily; the* 23*d Cartick* 1221 *Willaity; the* 13*th Cartick* 1870 *Sumbut; and the* 12*th Zekaad* 1228 *Higeree.*

WHEREAS it is enacted by Sections XIII, XIV, XV, and XVI, Regulation I, 1812, and by the proviſions contained in Regulation XVII, 1812, that horſes and mares imported by ſea into the ports of Calcutta, Chittagong, and Balaſore, or by land into the diſtrict of Cuttack, ſhall be ſubject to the payment of duties to Government at certain fixed rates, ſpecified in thoſe regulations; and whereas there are ſubſtantial grounds to believe that the objects of political economy propoſed to be accompliſhed by the eſtabliſhment of thoſe duties will not be promoted by thoſe means; and alſo that the impoſts in queſtion (which have operated nearly

Preamble.

nearly as a prohibition on the importation of horſes by ſea,) have tended materially to injure the export trade of theſe provinces to the Perſian Gulph; the following rule has been enacted, to be in force immediately from the promulgation of it, throughout the territories immediately dependent on the preſidency of Fort William.

Abolition of duties on the importation of horſes.

II. Sections XIII, XIV, XV, and XVI, Regulation I, 1812, the whole of Regulation XVII, 1812, and generally all proviſions which relate to the eſtabliſhment of duties on horſes imported into places immediately dependent on the preſidency of Fort William, are hereby reſcinded.

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Recd 6th Decemb. 1813

A. D. 1813. REGULAION XV.

A REGULATION *for the general abolition of the office of dewaun to the collectors of the land revenue, in the provinces immediately dependent on the Preſidency of Fort William.*—PASSED *by the Governor General in Council, on the* 13*th November* 1813, *correſponding with the* 29*th Cartick* 1220 *Bengal era; the* 5*th Aughun* 1221 *Fuſſily; the* 1*st Aughun* 1221 *Willaity; the* 6*th Aughun* 1870 *Sumbut; and the* 19*th Zekaad* 1228 *Higeree.*

Preamble.

WHEREAS, under the exiſting regulations, a native officer is appointed in each diſtrict, under the official deſignation of dewaun, for the performance of certain ſpecified duties, and for the purpoſe of aiding the collectors generally in the diſcharge of the public functions of their ſtations; and whereas conſiderable inconvenience has been experienced from the exiſtence of that office, in ſome inſtances from the abuſe of the power and influence poſſeſſed by the dewauns, in others from diſagreements between the collectors and thoſe native functionaries, and from other cauſes; and whereas it will conduce to the public intereſts, that the ſeveral branches of the public buſineſs in the offices of the collectors ſhould be conducted by diſtinct and ſeparate eſtabliſhments, ſubject only to the direct and immediate control of the collectors themſelves, the following rule has been enacted, to be in force from and after the 1ſt January 1814, throughout the territories immediately dependent on the Preſidency of Fort William.

The office of dewaun to the collectors, aboliſhed.

II. The office of dewaun to the collectors of the land revenue ſhall be aboliſhed from and after the 1ſt of January 1814. This Rule of courſe ſuperſedes ſuch of the proviſions contained in Regulation II, 1793; Regulation V, 1795; Regulation XXV, 1803; and generally in any other regulation as require the appointment of dewauns in the different diſtricts, or define the duties of the dewauns, or relate in any other manner directly or indirectly to thoſe offices.

Recd 6th December

A. D. 1813. REGULATION XVI.

A REGULATION *for reſcinding Section X, Regulation* XIII, 1806.—PASSED *by the Governor General in Council, on the* 13*th November* 1813; *correſponding with the* 29*th Cartick* 1220 *Bengal era; the* 5*th Aughun* 1221 *Fuſſily; the* 1*st Aughun* 1221 *Willaity; the* 6*th Avghun* 1870 *Sumbut; and the* 19*th Zekaad* 1228 *Higeree.*

Preamble.

WHEREAS many deeds, inſtruments and pleadings, have been erroneouſly executed by the parties, and filed in the courts of judicature on ſtampt paper not authenticated by the ſignature of the vender in the manner required by Section IX, Regulation XIII, 1806, and great public inconvenience is experienced from this omiſſion; to remedy the ſame, the following rules have been enacted, to be in force from the promulgation of them throughout the territories immediately dependant on the Preſidency of Fort William.

Section X, Regulation XIII, 1806, reſcinded.

II. *Firſt.* Section X, Regulation XIII, 1806, is hereby reſcinded:

Second. It is hereby further provided, that no deeds, pleadings, petitions, or inſtruments of what nature ſoever, which may have been executed or written previouſly to the date of this regulation, on ſtampt paper not authenticated by the ſignature of the vender, as required by Section IX, Regulation XIII, 1806, ſhall, on account of ſuch omiſſion, be deemed void; but that all the ſaid documents ſhall be deemed equally valid ab origine, as if the ſame had been executed or written on ſtampt paper authenticated by the ſignature required in the Section above mentioned.

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A. D. 1813. REGULATION XVII.

A REGULATION *for amending the rules before enacted for the conduct of enquiries into charges and complaints preferred against European public officers.*—PASSED *by the Governor General in Council, on the 24th December 1813; correſponding with the 11th Pooſe 1220 Bengal era; the 17th Pooſe 1221 Fuſſily; the 12th Pooſe 1221 Willaity; the 2d Pooſe 1870 Sumbut; and the 30th Zeheja 1228 Higeree.*

Preamble.

WHEREAS Regulations VIII, and X, 1806, contain rules for the conduct of enquiries into charges and complaints of a ſerious nature which may be preferred againſt European public officers; and whereas it has been judged adviſable to ſimplify thoſe rules with a view to the more expeditious termination of inveſtigations of that deſcription, and to other objects connected with the public convenience; the following rules have been enacted, to be in force from the period of their promulgation, throughout the territories immediately dependent on the Preſidency of Fort William.

II.

Parts of Regulations VIII, and X, 1806, reſcinded.

II. Sections IV to XIX, Regulation VIII, 1806, and Regulation X, 1806, (excepting ſuch part thereof as relates to the ſecurity to be required from perſons preferring charges of corruption or extortion againſt the Hindoo and Mahomedan law officers and miniſterial officers of the courts of judicature), are hereby reſcinded.

Enquiry into complaints or charges of corruption embezzlement or other groſs fraud, breach of truſt, or high miſdemeanor againſt a judicial officer to be conducted under the ſuperintendence of the Sudder Dewanny Adawlut.

III. *Firſt.* Whenever a complaint or charge of corruption, viz. of the corrupt demand or receipt of money or other valuable thing, as a gift or preſent, or of the embezzlement of public ſtores, or of any fraud or breach of public truſt, or other groſs miſdemeanor, ſhall be preferred againſt any European officer attached, or who had been attached, to the judicial department, or when any matter of the nature in queſtion, implicating the conduct of a judicial officer, ſhall appear in the courſe of any proceeding which may come before the Sudder Dewanny Adawlut, or be ſpecially reported to it by a ſubordinate court, the enquiry into ſuch charge or complaint, ſhall be conducted according to the following proviſions, under the ſuperintendence of the Court of Sudder Dewanny Adawlut.

Such enquiry into complaints or charges againſt a revenue officer to be conducted under the ſuperintendence of the Board of Revenue or Board of Commiſſioners.

Second. Whenever a charge or complaint of the nature of thoſe deſcribed in the preceding clauſe, ſhall be preferred againſt any European officer attached, or who had been attached, to the Revenue Department, or when any matter of the nature in queſtion, implicating the conduct of a revenue officer, ſhall appear in the courſe of any proceeding which may come before the Board of Revenue or Board of Commiſſioners, the enquiry into ſuch charge or complaint ſhall be conducted under the ſuperintendence of the Board of Revenue or Board of Commiſſioners, according as the perſon accuſed may be or may have been ſubject to the authority of one or the other of thoſe Boards, when the alleged acts of miſconduct were committed.

Such enquiry into complaints or charges againſt officers attached to the commercial, ſalt, or opium department, to be conducted under the ſuperintendence of the Board of Trade.

Third. Whenever a charge or complaint of the nature of thoſe above mentioned, ſhall be preferred againſt any European officer attached to the commercial, ſalt, or opium department, or otherwiſe ſubject to the authority of the Board of Trade, or whenever any matter of the nature in queſtion, implicating the conduct of any ſuch officer, ſhall appear in the courſe of any proceeding which may come before that Board, the enquiry into ſuch charge or complaint ſhall be conducted under the ſuperintendence of the Board of Trade.

Accuſations or informations againſt public officers not to be acted upon unleſs given in upon oath, or under a ſolemn declaration.

IV. *Firſt.* With a view to the protection of the characters of the public officers, it is hereby declared, that no accuſation or information of the nature above deſcribed ſhall be acted upon, unleſs the truth of the charge be averred on oath or under a ſolemn declaration (if the deponent be of a rank or caſt, which would render it improper to require his oath) from the deponent's perſonal knowledge of the facts and circumſtances, on which the charge is grounded.

Perſons preferring charges to be required to furniſh ſecurity to proſecute them to a concluſion.

Second. With a view likewiſe to the more effectual accompliſhment of the purpoſe ſtated in the preceding clauſe, that is, the protection of the characters of the public officers from malicious and calumnious aſperſions, it is hereby declared, that it ſhall be competent to the Sudder Dewanny Adawlut, to the Board of Revenue, the Board of Commiſſioners, and the Board of Trade, ſhould they deem it adviſable, to require the perſon, by whom any public accuſation or information may be preferred, to furniſh ſuch ſecurity as may be deemed reaſonable to attend and proſecute the charge to a concluſion; and ſuppoſing ſuch ſecurity not to have been taken in the firſt inſtance, to require it in any ſubſequent ſtage of the buſineſs, ſhould circumſtances appear to render that precaution at any time neceſſary or proper.

In caſes of charges being preferred direct to the ſuperintending authorities, previous examination and inveſtigation to be made, whether grounds exiſt for a regular and formal enquiry.

V. *Firſt.* Whenever any charge or information of the nature above deſcribed, ſhall be preferred direct to the Sudder Dewanny Adawlut, the Board of Revenue, the Board of Commiſſioners or Board of Trade, it ſhall be the duty of thoſe authorities to examine the complainant or informant circumſtantially on oath, or under a ſolemn declaration, if he be entitled to be exempted from taking an oath, and likewiſe to make ſuch further general enquiries on the ſubject, either by a reference to the public records, or by calling on the party accuſed, for an explanation of the alleged acts of miſconduct, or in any other mode, which the nature of the caſe may ſuggeſt, as may be ſufficient to ſatisfy their minds whether grounds exiſt for a regular and formal enquiry into the ſaid charge or information or otherwiſe.

Every court of civil judicature receiving ſuch charges to examine the complainant on oath and tranſmit ſuch depoſition to the proper ſuperintending authority.

Second. In order at the ſame time to afford ſufficient facilities to perſons, who may have ſubſtantial grounds for complaint againſt any of the public European officers employed in the judicial, revenue, commercial, ſalt, and opium departments, to obtain redreſs of any real grievances, it ſhall be the duty of every court of civil judicature, by which any public charge or information of the nature above deſcribed may be received, to examine the complainant or informant circumſtantially on oath, or under a ſolemn declaration, if he be entitled to be exempted from taking an oath, and to tranſmit the depoſition ſo taken to the Sudder Dewanny Adawlut, the Board of Revenue, the Board of Commiſſioners, or Board of Trade, according as the perſon accuſed may be ſubject to either of thoſe authorities for their further conſideration, and for ſuch further general enquiries as may be judged neceſſary for the purpoſe ſtated in the preceding clauſe.

Superintending authorities may diſmiſs frivolous or vexatious charges.

Third. Should the Sudder Dewanny Adawlut, the Board of Revenue, or Board of Commiſſioners, or Board of Trade, according as the caſe may be brought before either of thoſe authorities, be of opinion, that the charge or information is frivolous and vexatious, they ſhall merely inform the party that they do not ſee any ſubſtantial reaſon for entering further into the enquiry.

Superintending authorities to report to government every caſe in which ſubſtantial grounds appear to exiſt for a regular enquiry.

Fourth. Should either of the authorities mentioned in the firſt part of the preceding clauſe be of opinion, after the general enquiries above noticed, that ſubſtantial grounds exiſt for making a regular and formal enquiry into the truth of any public charge or information which may be preferred againſt any European officer ſubject to their control, they ſhall ſubmit the documents on which their opinion may be grounded, together with a clear ſtatement of the charges, reduced to diſtinct heads or articles, which they would propoſe to be made the ſubject of a regular inveſtigation, to the Governor General in Council for his conſideration and orders.

Should the Governor General in Council, concur in ſuch opinion, he will appoint commiſſioners for making a regular enquiry.

VI. *First.* Should the Governor General in Council on receipt of the report above deſcribed, concur with the authority by which it may be ſubmitted, that a regular inveſtigation ſhould be made into the truth of the charge or information preferred againſt the perſon accuſed, he will appoint a commiſſioner or commiſſioners for the performance of that duty, who, previouſly to entering on the diſcharge of it, ſhall take the following oath:—

Oath of commiſſioner.

"I, A. B. appointed a commiſſioner for making a ſpecial enquiry into a certain charge (or charges) exhibited againſt C. D. do hereby ſolemnly ſwear, that I will faithfully and impartially perform the duty committed to me, without fear, favor or bias, to the beſt of my ability, knowledge and judgment." "So HELP ME GOD."

The commiſſion to be holden at the moſt convenient place.

Second. The Governor General in Council will at the ſame time order the commiſſion, ſo appointed to be holden, at ſuch place, as may be moſt convenient; and beſt adapted to the ends of juſtice.

VII.

A general control over the proceedings of ſuch commiſſions, veſted in the proper ſuperintending authorities.

VII. The Sudder Dewanny Adawlut, the Board of Revenue, the Board of Commiſſioners, and the Board of Trade, (according as the perſon accuſed, may be under one or other of thoſe authorities,) are hereby inveſted with a general control over the proceedings of all commiſſions conſtituted under the preſent regulation. The commiſſioners are accordingly to apply to the court of Sudder Dewanny Adawlut, and to thoſe Boards reſpectively, for any inſtructions which they may require in the execution of the duty entruſted to them, for which proviſion may not have been expreſſly made by the preſent, or any other regulation; and the Court and Boards abovementioned, are empowered to paſs ſuch orders on the ſubject, as may appear to be moſt conſonant to the general principles of equity, and moſt conducive to the purpoſes of ſubſtantial juſtice. Provided, however, that if any doubt or difficulty ſhould ariſe in the conduct of ſuch inveſtigations, for which it may appear to be adviſable to make proviſion by a general regulation, the ſaid Court and Boards ſhall prepare the neceſſary draft of a regulation for the purpoſe, and ſubmit it to the Governor General in Council for his conſideration.

Government will determine whether the accuſed ſhall be ſuſpended, or permitted to draw his eſtabliſhed allowances.

VIII. Whenever a ſpecial commiſſion may be appointed under the proviſions of this regulation, for the inveſtigation of charges exhibited againſt a public officer, the Governor General in Council will determine, on a view of the nature and circumſtances of the caſe, whether the accuſed ſhall be ſuſpended from the diſcharge of the functions of his office, and if ſo, whether he ſhould be permitted to draw the eſtabliſhed allowances of his office, or otherwiſe.

Government will determine whether the proſecution ſhall be conducted by the accuſer or otherwiſe.

IX. Whenever a charge ſhall be referred for inveſtigation to a ſpecial commiſſion, the Governor General in Council will determine whether the conduct of the proſecution ſhall be left to the accuſer, or be undertaken on the part of Government. In the latter caſe, the Governor General in Council will nominate ſuch perſon or perſons as may be deemed proper, to bring the evidence in due order before the commiſſion, to attend the proceedings and conduct the proſecution on the behalf of Government.

X.

General duty of the commiſſioners on ſuch inveſtigations.

X. It ſhall be the general duty of commiſſioners appointed under this regulation, after receiving the plaint or charge, and the documents from which the ſame may have been prepared, to call upon the perſon accuſed for his reply to the accuſation; to examine upon oath, or under a ſolemn declaration, the witneſſes named by the accuſer, or the accuſed, as having knowledge of any facts relative to the charges or defence; to receive any further written documents offered in ſupport of, or againſt the accuſation, and to call for and take any further requiſite evidence which may be indicated by the witneſſes adduced, or documents exhibited, by either party, and may appear to be neceſſary for the aſcertainment of facts, or the diſcovery of the truth or falſehood of the charges; or of any part thereof.

Powers veſted in the commiſſion.

XI. For the diſcharge of the duties ſpecified in the preceding ſection, or any other functions which may be delegated to a commiſſion conſtituted under this regulation, it ſhall be veſted with the ſame powers as are exerciſed by the zillah, and city courts, except that all proceſs to cauſe the attendance of witneſſes, or other compulſory proceſs, ſhall be ſerved through, and executed by, the zillah or city judge in whoſe juriſdiction the commiſſion may be held, on the witneſs, or other perſon upon whom the proceſs is to be ſerved, may reſide.

Accuſed and accuſer to be at liberty to record obſervations at the cloſe of the evidence.

XII. On the cloſe of the evidence in ſupport of the proſecution and in defence of the accuſed, he ſhall be at liberty to record any obſervations upon the reſult of the enquiry, which he may think neceſſary for the vindication of his conduct and character. The accuſer, or perſon appointed to conduct the proſecution on the part of Government, ſhall alſo be at liberty to record any remarks on the ſubject of the proſecution which he may deem requiſite.

Commiſſioners to tranſmit proceedings and report to the ſuperintending

XIII. When the proceedings of the commiſſion ſhall have been concluded, or as ſoon afterwards as circumſtances may admit, the commiſſioner or commiſſioners, ſhall tranſmit to the

Sudder

authorities on the merits of the caſe.

Sudder Dewanny Adawlut, the Board of Revenue, or Board of Commiſſioners, or the Board of Trade, as the caſe may be, the whole of the proceedings held, and documents received (accompanied with tranſlations of papers not in the Engliſh language), together with a ſummary of the pleadings and evidence, and his or their opinion on the merits of the caſe.

Proceedings and report to be ſubmitted to government by the ſuperintending authorities after ſuch further inquiries as they may deem requiſite, with their opinion thereon.

XIV. The Sudder Dewanny Adawlut or the Boards to which the caſe may belong, after duly conſidering the proceedings and the report tranſmitted to them under the preceding ſection, and after calling for any further evidence which may appear to them attainable and requiſite, ſhall ſubmit the whole of the proceedings and documents received by them to the Governor General in Council, with their opinion, whether any and what facts charged againſt the party accuſed appear to have been eſtabliſhed.

Government will decide on the caſe, but ſuch deciſion not to preclude perſons deeming themſelves aggrieved from ſeeking redreſs in the Supreme Court.

XV. The Governor General in Council, on conſideration of the report and proceedings ſubmitted to him, in purſuance of the foregoing ſection, will paſs ſuch deciſion on the caſe, as may appear to him moſt conſonant to the principles of juſtice and to the conſtitutional powers poſſeſſed by Government in matters of this deſcription; and in the event of his deeming it neceſſary that the party accuſed ſhould be brought to trial, by a public proſecution, in the Supreme Court of Judicature, will iſſue the neceſſary inſtructions for that purpoſe to the law officers of Government. But whatever proceedings may be held, or whatever deciſion or order may be paſſed by Government, individuals deeming themſelves aggrieved by any of the public officers, will be at all times at liberty to ſeek redreſs in the Supreme Court in the mode preſcribed by law.

How applications for reimburſement of expenſes incurred in ſuch caſes, are to be preferred and decided upon.

XVI. In caſes in which it ſhall appear on a full inveſtigation of the merits of the caſe, that the charges or complaints preferred againſt any of the European officers abovementioned are well founded, the perſon by whom they may have been preferred, ſhall be at liberty to ſubmit an application to the Sudder Dewanny

Adawlut, the Board of Revenue, Board of Commiſſioners or Board of Trade, as the caſe may be, praying a reimburſement of the expenſe which may have been incurred by him in the conduct of the proſecution; and the authority to whom ſuch petition may be preſented, ſhall forward it to Government, with their opinion as to the propriety of indemnifying the party for the expenſe ſo incurred or otherwiſe. The Governor General in Council will of courſe on receipt of any ſuch reference, conſider and determine whether it be adviſable to comply with the application in queſtion; but it is to be clearly underſtood that Government does not pledge itſelf to indemnify any perſon for the expenſe which may be incurred on occaſions of the above nature, whatever may be the reſult of the inveſtigation, except in caſes in which the Governor General in Council, in the exerciſe of a ſound diſcretion, may deem it proper and expedient to do ſo.

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PRINCIPAL HEADS

OF THE

INDEX

TO THE

REGULATIONS

OF

1813.

ALTERATIONS, RESCISSIONS, EXTENSIONS, MODIFICATIONS, &c. &c.

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Regulations altered.					*By what Regulations.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	II.			Rescinded in part	XV.	II.	
——	XVI.			Applied by - -	VI.	II.	*Second.*
——	XIX.	XII XIII XIV, & XVI.		Rescinded in part	V.	II.	
——	XXIV.	XV, XVI		Rescinded -	XI.	V.	*First.*
——	XXXIV.	——		Ditto - - - -	X.	II.	
——	XXXVII.	VII, VIII, IX, & XI.		Rescinded in part	V.	II.	
——	LI.			Rescinded - -	X.	II.	
1794	I.			Ditto - - - -	X.	II.	
——	VIII.	XIII.		Extended - -	VII.		
1795	V.			Rescinded in part	XV.	II.	
——	XLVII.			Rescinded - -	X.	II.	
1797	VII.	IV.		Ditto - - - -	X.	II.	
1798	II	II, III.		Modified - - -	III.	II.	
1800	VI.			Rescinded - -	X.	II.	
1801	III.			Extended - -	VII.		
1802	II.	XXII XXIII XXIV &XXV.		Rescinded - -	X.	II.	
1803	I.	XI, XV.		Rescinded in part	VII.	IV.	
——	II.	XXII.		Modified - -	III.	II.	
——	IV.	XXX.		Ditto - - -	III.	II.	
——	V.	XXXVII		Ditto - - - -	III.	II.	
——	XXI.			Applied - - -	VI.	II.	*Second.*
——	XXIV.	XIV, XV.		Rescinded - -	XI.	V.	*First.*
——	XXV.			Rescinded in part	XV.	II.	
——	XL.			Rescinded -	X.	II.	
——	LIII.	VIII.	*Second.*	Revived and enforced.	IX.	II.	*First.*
1805	VIII.	II.		Rescinded in part	VII.	IV.	
——	VIII.	XXVI.		Ditto - - - - -	X.	II.	
——	XII.	IV.		Modified - - -	I.		
——	XII.	XXXVI.		Rescinded - -	V.		
1806	VIII.	IV to XIX.		Rescinded - -	XVII.	II.	
——	X.			Rescinded in part	XVII.	II.	

Regulations altered, &c.					*By what Regulations.*		
Years.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1806	XIII.	X.		Rescinded - -	XVI.	II.	*First.*
——	XX.			Ditto - - - -	X.	II.	
1808	I.			Ditto - - - -	X.	II.	
——	III.			Ditto - - - -	X.	II.	
1809	V.			Applied - - -	VIII.	II.	
1810	IX.			Modified - - -	XII.	II.	
——	X.			Ditto - - - -	XII.	II.	
1811	V.			Rescinded - -	X.	II	
——	XIV.	II.	*First* *Second*	Ditto - - -	IX.	II.	*First.*
1812	XIII XIV XV. XVI.	——		Ditto - - - -	XIV.	II.	
——	X.			Modified - - -	I.		
——	XIII.			Rescinded - -	X.	II.	
——	XVII.			Ditto - - - -	XIV.	II.	
——	XIX.	III, IV.		Modified - - -	XII.		

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TITLES
OF THE
REGULATIONS,
PASSED IN THE
YEAR 1814.

A REGULATION *for amending the regulations before enacted for raising a revenue by means of stamps.—Passed on the* 1st *January*, 1814.

REGULATION II.

A REGULATION *for modifying the rules before established for the trial of suits proposed to be instituted against any of the public officers, who have been declared amenable, for acts connected with the discharge of their official duties, to the jurisdiction of the courts of civil judicature.—Passed on the 29th January*, 1814.

REGULATION III.

A REGULATION *for extending the provisions of Regulation* XIII, 1813, *to the stations at which the magistrates reside in the divisions*

divisions of Dacca, Moorshedabad, Calcutta and Patna.—Passed on the 5th February, 1811.

REGULATION IV.

A REGULATION *for repealing Regulation* VIII, 1812.—*Passed on the* 11*th March*, 1814.

REGULATION V.

A REGULATION *for amending such parts of the regulations before enacted as relate to the appointment of the judges of the provincial courts of appeal and circuit.—Passed on the* 19*th March*, 1814.

REGULATION VI.

A REGULATION *for modifying certain parts of Regulation* IX, 1810, *and Regulation* I, 1812.—*Passed on the* 19*th March*, 1814.

REGULATION VII.

A REGULATION *for modifying a part of the provisions contained in Regulation* X, 1809, *respecting the copper coinage of the province of Benares.*—*Passed on the* 29*th April*, 1814.

REGULATION VIII.

A REGULATION *for extending the provision contained in Clause Second, Section* IV, *Regulation* III, 1812, *to cases of murder, arson and theft.—Passed on the* 13*th May*, 1814.

REGULATION IX.

A REGULATION *for explaining the extent and meaning of Regulation* XIII, 1813, *and Regulation* III, 1814.—*Passed on the* 17*th May*, 1814.

REGULATION X.

A REGULATION *for explaining so much of Regulation* I, 1814, *as relates to engagements contracted between Government and individuals.—Passed on the 20th May,* 1814.

REGULATION XI.

A REGULATION *to make further provision for the punishment of persons convicted of breaking into, or attempting to break into, houses, tents, boats, or other places of habitation, or into warehouses or other places used for the custody of property with an intent to steal.—Passed on the 27th May,* 1814.

REGULATION XII.

A REGULATION *for securing to the invalid native officers, soldiers and others, the reduced pay or pension granted to them for their support on retiring from service.—Passed on the 27th May,* 1814.

REGULATION XIII.

A REGULATION *for the abolition of the office of cutwal in the cities of Dacca, Patna, and Moorshedabad.—Passed on the 10th June,* 1814.

REGULATION XIV.

A REGULATION *for forming the zillah of the 24 Pergunnahs into two distinct jurisdictions.—Passed on the 14th June,* 1814.

REGULATION XV.

A REGULATION *to define the punishment to which persons convicted of two or more offences, shall in certain cases be subject.—Passed on the 21st June,* 1814.

REGULATION XVI.

A REGULATION *for extending the provisions of Regulation* XIII, 1813, *to the stations at which the magistrates reside in the divisions of Benares and Bareilly, with exception to the city of Benares.—Passed on the 23d June,* 1814.

REGULATION.

REGULATION XVII.

A REGULATION *for the recovery of arrears due from persons manufacturing or selling spirituous liquors, taury, putchwye and intoxicating drugs.—Passed on the 29th July*, 1814.

REGULATION XVIII.

A REGULATION *for amending the rules before enacted relative to the demand of arrears of public revenue, and to the conduct of sales of land for the recovery of the same.—Passed on the 23d August*, 1814.

REGULATION XIX.

A REGULATION *for reducing to one regulation, with alterations and additions, certain regulations respecting the partition of estates paying revenue to Government.—Paſsed on the 17th September*, 1814.

REGULATION XX.

A REGULATION *for rescinding the regulations in force, relative to the College of Fort William.—Passed on the 27th September*, 1814.

REGULATION XXI.

A REGULATION *for preventing the zillah and city judges and collectors of the public revenue from employing their native creditors on their respective establishments.—Passed on the 4th October*, 1814.

REGULATION XXII.

A REGULATION *for declaring the manufacture of salt in the province of Cuttack, a monopoly on the part of Government, and for providing more effectually against the illicit manufacture, importation, transportation, and sale of salt therein. —Passed on the 4th November*, 1814.

REGULATION

REGULATION XXIII.

A REGULATION *for reducing into one Regulation, with amendments and modificaions, the several rules which have been passed regarding the office of moonsiffs or native commissioners, and of sudder aumeens or head commissioners, for modifying and extending their respective powers in the trial and decision of civil suits, and for authorizing them to discharge certain additional duties under the direction of the zillah and city judges.—Passed on the 29th November,* 1814.

REGULATION XXIV.

A REGULATION *for abolishing the office of assistant judge of the zillah and city courts, and for making certain modifications in the constitution and jurisdiction of those courts.—Passed on the 29th November,* 1814.

REGULATION XXV.

A REGULATION *for modifying the constitution and jurisdiction of the Sudder Dewanny Adawlut, and of the provincial courts, for expediting the trial of civil causes in those courts, and for defining more fully the powers of single judges holding the sittings of those courts, or the Nizamut Adawlut, and courts of circuit.—Passed on the 29th November,* 1814.

REGULATION XXVI.

A REGULATION *for modifying some of the rules at present in force, regarding the admission and trial of special and summary appeals from decisions, passed in regular suits for limiting and altering some of the existing provisions respecting the pleadings and processes, and the mode of executing decrees in regular suits and appeals, and for explaining and making certain additions to the provisions of Regulation* 1, 1814.*—Passed on the 29th November* 1814.

REGULATION XXVII.

A REGULATION *for reducing into one regulation, with amendments and modifications, the several rules which have been passed regarding the office of vakeel or native pleader in the courts of civil judicature.—Passed on the 29th November,* 1814.

REGULATION

REGULATION.

REGULATION XXVIII.

A REGULATION *for reducing into one regulation, with amendments and modifications, the several rules which have been passed for admitting persons of certain descriptions to sue in the courts of civil judicature as paupers.—Passed on the 29th November,* 1814.

REGULATION XXIX.

A REGULATION *for the settlement of certain mehals in the district of Beerbhoom, usually denominated the Ghautwaullee mehals.—Passed on the 3d December,* 1814.

A. D. 1814. REGULATION I.

A REGULATION *for amending the regulations before enacted for raiſing a revenue by means of Stamps.*—PASSED *by the Governor General in Council, on the* 1*st January* 1814; *correſponding with the* 19*th Pooſe* 1220 *Bengal era; the* 25*th Pooſe* 1221 *Fuſſily; the* 20*th Pooſe* 1221 *Willaity; the* 10*th Pooſe* 1870 *Sumbut; and the* 8*th Mohurrum* 1229 *Higeree.*

WHEREAS regulations have from time to time been paſſed for raiſing a revenue for the ſupport of the ſtate by means of ſtamps on bonds, deeds of conveyance, and other inſtruments executed by individuals, and on pleadings filed in the courts of judicature; and whereas thoſe regulations are in many reſpects defective in regard to clearneſs and ſimplicity, by which means individuals are liable to ſuffer injury in their property without any real intention of defrauding Government: and whereas there are grounds to believe, that conſiderable abuſes have been committed by ſome of the native officers attached to the different Preamble.

ferent courts of civil judicature, in collecting and bringing to credit the preſcribed fees on the inſtitution of ſuits and on exhibits and ſummonſes for witneſſes: and whereas it will tend to prevent ſuch abuſes, and will otherwiſe promote the convenience both of government and of the community to conſolidate the inſtitution fee with the duty already levied by means of a ſtamp on that part of the pleadings; the following rules have been enacted, to be in force from and after the 1ſt May 1814; correſponding with the 20th Byſack 1221 Bengal era; the 27th Byſack 1221 Fuſſily; the 21ſt Byſack 1221 Willaity; the 12th Byſack 1871 Sumbut; and the 10th Jumadi-o-Awul 1229 Higeree, throughout the territories immdiately dependent on the Preſidency of Fort William.

Regulations reſcinded.

II. Sections IV to XXX, Regulation VI, 1797; Regulation X, 1797; Regulation VII, 1800; Section XXII, Regulation XI, 1801; Sections IV to XXVI, Regulation XLIII, 1803; Regulation XIII, 1806; Regulation VIII, 1807; Regulation VII, 1809; Section II, Regulation XII, 1810; Regulation XII, 1812; Regulation XVI, 1813; and generally all rules reſpecting the duties levied by means of ſtampt paper, ſhall be reſcinded from and after the 1ſt May 1814; correſponding with the 20th Byſack 1221 Bengal era; the 27th Byſack 1221 Fuſſily; the 21ſt Byſack 1221 Willaity; the 12th Byſack 1871 Sumbut; and the 10th Jumadi-o-Awul 1229 Higeree.

A general ſtamp office to be eſtabliſhed at or near the Preſidency, under a covananted ſervant, who ſhall be deſignated the ſuperintendent of ſtamps.

III. *Firſt* A general ſtamp office ſhall be eſtabliſhed at or near the Preſidency, under the ſuperintendence of a civil covenanted ſervant of the Honorable Company, to be deſignated the ſuperintendent of ſtamps, and all paper or other material intended for any of the purpoſes herein after mentioned, ſhall be ſtampt at his office, and counterſtampt at the general treaſury of Government.

The ſuperintendent of ſtamps to be ſubordinate to the Board of Revenue, and to take an oath,

Second. The ſuperintendent of ſtamps ſhall be ſubordinate to the Board of Revenue, and previouſly to entering upon the execution of the duties of his office, ſhall take and ſubſcribe the oath preſcribed in the Appendix, (form No. 1,) before one of the members of that Board.

as preſcribed in appendix No. 1, of the preſent regulation.

Third. The ſuperintendent ſhall prepare and tranſmit to the different officers entruſted with the diſpoſal of ſtamps, the quantities which they may require for uſe in their reſpective diſtricts.

He ſhall prepare and tranſmit ſtamps to the different officers.

Fourth. The ſuperintendent ſhall keep an account of the quantity, and value of ſtamps prepared by him, of the iſſue of ſtamps, of the ſums brought to credit in the ſeveral diſtricts; and of the quantity of ſtamps remaining in ſtore; and he ſhall prepare and ſubmit to the Board of Revenue ſuch periodical reports and ſtatements as they may require.

What account of ſtamps to be kept by him.

Fifth. It ſhall be the duty of the ſuperintendent of ſtamps to proceed in perſon to any diſtrict in which he or the Board of Revenue may at any time conceive, that his preſence is neceſſary with the view of detecting forgeries, or other abuſes, or irregularities committed in the ſale of ſtamps. In like manner, it ſhall be the duty of the Board of Commiſſioners to depute an officer for that purpoſe to any diſtrict ſubject to their ſuperintendence, in which they may have grounds to believe, that offences of that nature are committed.

The ſuperintendent to proceed in perſon to any diſtrict, in which he or the Board of Revenue may conceive his preſence neceſſary, for the detection of forgeries or other abuſes.

The Board of Commiſſioners may depute an officer to any diſtrict ſubject to their ſuperintendence, for the ſame purpoſes.

IV. *Firſt.* No ſtamp ſhall be valid, or be iſſued from the ſtamp office until the paper, parchment, leaf of the taur tree (taur puttah), or other material on which the ſtamp has been impreſſed, ſhall have received the preſcribed counterſtamp at the General Treaſury.

No ſtamp to be valid, or iſſued from the ſtamp office, until it ſhall have received the preſcribed counterſtamp at the General Treaſury.

Second. The Sub-Treaſurer ſhall keep an account of the quantity and value of the ſtamps, which may be counterſtamped by him, which account ſhall be tranſmitted to the Board of Revenue, at the cloſe of each official year, in order that it may be compared with the accounts of the ſuperintendent.

The Sub-Treaſurer to keep an account of the ſtamps which may be counterſtamped by him, and to tranſmit it to the Board of Revenue at the cloſe of each official year.

Only one ſet of ſtamps applicable to every purpoſe for which ſtamps are required by the preſent regulation to be uſed.

Inſcriptions thereon.

V. *Firſt.* One ſet of ſtamps applicable to every purpoſe, for which ſtamps are required by this regulation, ſhall hereafter be uſed in the general ſtamp office, bearing inſcriptions in the Engliſh, Perſian, Bengally and Nagree characters, as follow:—

One anna,
Two annas,
Four annas,
Eight annas,
One rupee,
Two rupees,
Four rupees,
Eight rupees,
Sixteen rupees,
Thirty-two rupees,
Fifty rupees,
One hundred rupees,
One hundred and fifty rupees,
Two hundred and fifty rupees,
Three hundred and fifty rupees,
Five hundred rupees,
Seven hundred and fifty rupees,
One thouſand rupees,
Two thouſand rupees,

In ordinary caſes the ſtamps to be impreſſed on paper of the manufacture of Bengal or Behar, and the Board of Revenue to regulate the ſizes of the paper.

Copies of proceedings and judgments of the Sudder Dewanny Adawlut in appeal to His Majeſty in Council to be on paper of European manufacture, bearing a

Second. The above ſtamps ſhall in ordinary caſes be impreſſed on paper of the manufacture of Bengal or Behar, and it ſhall be the duty of the Board of Revenue to regulate the ſizes of ſuch paper, in ſuch manner as may be beſt adapted to the convenience of the community, without injury to the public revenue, according to the true intent and meaning of the rules contained in the preſent regulation; provided however, that paper of European manufacture, bearing a ſtamp of the value herein-after ſpecified, ſhall be uſed for the copies of the proceedings and judgments of the court of Sudder Dewanny Adawlut, which may be appealed to His Majeſty in Council; provided alſo, that the ſuperintendent ſhall always keep in depoſit a ſufficient ſupply of the leaf of the taur tree (taur-puttah) duly ſtampt for the uſe of thoſe diſtricts in which that materal is ordinarily employed for the execution of certain inſtruments, inſtead of paper; provided likewiſe, that if any perſon ſhall be deſirous of having any inſtrument executed on vellum, parchment, or any other material, inſtead of paper, or taur-puttah, he ſhall be entitled to have the ſame ſtampt, ſuppoſing it to correſpond nearly with the regulated ſize of ſtampt paper, on paying the eſtabliſhed duty. Bonds, deeds of conveyance, and other inſtruments, executed on any material of the above deſcription, will accordingly be receivable, if duly ſtampt, in evidence in the courts of judicature, in the ſame manner as if ſuch inſtruments had been executed on common paper according to the ordinary practice of the ſtamp office.

ſtamp of the value preſcribed in the preſent regulation.

Taur puttah to be uſed in certain diſtricts.

Perſons deſirous of having inſtruments executed on vellum, parchment or other material, entitled to have the ſame ſtampt on paying the eſtabliſhed duty.

Bonds, deeds and other inſtruments executed on ſuch material, if duly ſtampt, will be received in evidence in the courts of judicature.

VI. With the view of preventing as far as poſſible the forgery of ſtampt paper, it ſhall be the duty of the ſuperintendent of ſtamps or ſuch officer or officers, acting under his authority, as may be nominated for that purpoſe by government, to endorſe his written official ſignature on the back of each piece of ſtampt paper or other material.

To prevent forgery, the ſuperintendent or other officers acting under his authority, to endorſe his written official ſignature on the back of each piece of ſtampt paper or other material.

VII. It ſhall be the duty of the mint maſter at Calcutta, to cauſe the dies, on the application of the Board of Revenue, and in conformity to ſuch ſuggeſtions as they may offer to be engraved at the mint.

Dies to be prepared at the mint at Calcutta.

VIII. The ſize or ſhape of the dies ſhall be changed as often as that Board may deem neceſſary, with the view of detecting or preventing forgeries. Provided however, that nothing herein contained, ſhall be conſtrued to authorize the Board of Revenue to alter the preſcribed impreſſion of the dies.

Size and ſhape of the dies may be changed as often as the Board of Revenue may deem it neceſſary.

Preſcribed impreſſion not to be altered.

IX. From and after the period fixed for the operation of this regulation, any bond, promiſſory note, bill of exchange, letter

Bonds or other inſtruments not written on paper bearing the preſcribed ſtamp, not to be admitted in evidence, or received in any court of judicature.

of credit, or other obligation for the payment of money; any receipt, or acquittance by which any ſum of money or demand ſhall be acknowledged to have been paid, received, liquidated, diſcharged, accounted for, or in any manner ſatisfied; any deed of gift, ſale, deviſe, or other transfer of property, real or perſonal; any leaſe, deed of mortgage or other limited aſſignment of land; any deed of contract, partnerſhip, agreement, ſecurity or engagement, which may not have been written on paper bearing the preſcribed ſtamp, ſhall not be admitted in evidence, or otherwiſe received or filed in any court of judicature.

Proviſo.

Provided however, that if any perſon ſhall inadvertently have taken any ſuch bond or other inſtrument on paper, or any other material, not bearing the preſcribed ſtamp, and ſhall preſent the ſame to any collector of the land revenue within ſixty days from the execution of it, with a penalty equal to ten times the amount of the ſtamp duty, which would have been payable on ſuch bond or other inſtrument in the firſt inſtance, if it had been prepared on paper, or other material bearing the preſcribed ſtamp, it ſhall be tranſmitted by the collector to the ſuperintendent of the ſtamp office, for the purpoſe of being duly ſtampt.

What ſteps ſhould be taken as to bonds or inſtruments having ſtamps or ſignatures apparently forged.

Provided alſo, that if any bond or other inſtrument required to be written on ſtampt paper, ſhall be produced in a court of judicature, having a ſtamp or ſignature apparently forged, the judge or other officer, before whom the document may be exhibited, ſhall make the neceſſary enquiry, previouſly to admitting the ſaid inſtrument in evidence, to ſatiſfy himſelf whether the paper or other material on which it was written, was purchaſed at either of the regular places eſtabliſhed for the vend of ſtamps. If it ſhall appear that the paper or other material was ſo purchaſed, (the proof of which muſt of courſe reſt with the perſon producing it,) and that it bear a ſtamp and ſignature reſembling thoſe preſcribed by this regulation, it ſhall be admitted, notwithſtanding any doubts which may exiſt of its authenticity; but in the contrary caſe, that is, ſuppoſing the judge or other officer to be ſatisfied, that the ſtampt paper upon which the deed produced may be written, was not purchaſed from any of the authorized venders, or, if ſo purchaſed, that the party producing it was privy to the forgery, the deed in queſtion ſhall be rejected as inadmiſſible in evidence.

X. *Firſt.* An office for the ſale and diſtribution of ſtamps ſhall be eſtabliſhed in each diſtrict, under the ſuperintendence and reſponſibility of the collectors of the land revenue, who ſhall receive a commiſſion of five per cent on the groſs produce derived from the ſale and diſtribution of ſtamps in ſuch diſtrict.

An office to be eſtabliſhed in each diſtrict for the ſale and diſtribution of ſtamps under the ſuperintendence of the collectors of the land revenue, who ſhall be allowed a commiſſion.

Second. The collectors ſhall indent upon and grant receipts in duplicate to the ſuperintendent of the general ſtamp office for ſuch quantities of ſtamps as may be required by them for the ſupply of their reſpective diſtricts.

The collectors to indent upon the ſuperintendent of the general ſtamp office for ſuch quantities of ſtamps as they may require.

Third. A darogah of ſtamps ſhall be appointed at each of the ſtations of the collectors and aſſiſtant collectors, who ſhall be paid by commiſſion, or by ſalary, or partly commiſſion and ſalary, as the Board of Revenue and Board of Commiſſioners, with the ſanction of government, may deem moſt adviſable.

A darogah of ſtamps to be appointed at each of the ſtations of the collectors, who ſhall be paid either by ſalary or commiſſion.

Fourth. It ſhall be the duty of the darogah of ſtamps to count and examine the ſtamp paper received from the ſtamp office, and to counterſign the receipts granted by the collector.

Duty of the darogah of ſtamps.

Fifth. Licenſed venders of ſtampt paper ſhall be eſtabliſhed in every pergunnah, or at ſuch places as the Board of Revenue and Board of Commiſſioners may determine; who ſhall be paid by ſalary or commiſſion, or partly by ſalary and commiſſion, as thoſe Boards reſpectively may, with the ſanction of government direct. It ſhall be the duty of the collectors to cauſe thoſe officers to be at all times adequately ſupplied with the requiſite quantities of each ſort of ſtampt paper. In like manner, it ſhall be the duty of the Board of Revenue and Board

Licenſed venders of ſtampt paper to be eſtabliſhed in certain places, who ſhall be paid either by ſalary, or commiſſion, and to be at all times adequately ſupplied with the requiſite quantities.

of Commiſſioners at all times to ſatisfy themſelves, that no obſtacles occur to the mercantile buſineſs, or other pecuniary tranſactions of the country, from any delay or difficulty in procuring ſtampt paper required for the conduct of the affairs of individuals.

Stamp darogahs and perſons authorized to retail ſtamps, to execute certain engagements and to receive certain ſunnuds.

Sixth. Every ſtamp darogah and every perſon authorized to retail ſtamps, ſhall give ſecurity to the collector for the due performance of an engagement to be executed by him, agreeably to the forms preſcribed in the Appendix Nos. 2 and 3, and ſhall receive a ſunnud prepared agreeably to the forms Nos. 4 and 5.

What accounts to be kept by the ſtamp darogahs.

Seventh. The ſtamp darogah ſhall keep an account of the quantity and value of ſtamps ſupplied by him to the different venders, and every vender ſhall keep a day book, exhibiting the ſtamps ſold by him, which day book ſhall be tranſmitted to the zillah ſtamp office at the end of each month, and every vender ſhall, on receiving a ſupply of ſtampt paper for ſale from the ſtamp darogah, grant a receipt for it, he ſhall at the ſame time carefully examine the ſtampt paper entruſted to his charge to ſatisfy himſelf, that it bears the government ſtamp, which he muſt certify in the receipt granted to the ſtamp darogah.

The collectors to tranſmit to the general ſtamp office, ſuch accounts as may be required by the ſuperintendent.

Eighth. The collectors ſhall tranſmit to the general ſtamp office, ſuch accounts as the ſuperintendent may require, with the conſent and approbation of the Board of Revenue.

No other perſon to ſell ſtamps, excepting thoſe authorized by the preſent regulation, under pain of proſecution and puniſhment.

Ninth. No perſon, excepting the ſuperintendent of ſtamps, the collectors of the land revenue, or other European officers inveſted with the charge of the office for the ſale and diſtribution of ſtamps, and the authorized native venders, ſhall be deemed competent to ſell ſtamps; and any other perſon who may ſell ſtamps, in oppoſition to this prohibition, ſhall be liable to be proſecuted for ſuch act before the magiſtrates, and puniſhed on conviction to the full extent of the powers veſted in the magiſtrates by the general regulations.

XI.

What inſtruments to be written on ſtampt paper, and how the value is to be regulated.

XI. From and after the date ſpecified in the preamble to this regulation, every bond, promiſſory note, bill of exchange, letter of credit, or other obligation for the payment of money, every receipt or acquittance, whereby any ſum of money or demand ſhall be acknowledged to have been paid, received, liquidated, diſcharged, accounted for, or in any manner ſatisfied; every deed of gift, ſale, deviſe, or other transfer of property, real, or perſonal; every leaſe, deed of mortgage, or other limited aſſignment of land; every deed of contract, partnerſhip, agreement, ſecurity, or engagement, which may be executed within the provinces ſubject to the preſidency of Fort William in Bengal: ſhall be written on paper (or ſome other material) impreſſed with the government ſtamp, the value of which ſtamp ſhall be regulated as follows:—

TABLE.

1. If the bond or other inſtrument ſhall be for a ſum not exceeding ſixteen rupees, or if the value of the property transferred or otherwiſe affected by it ſhall not exceed ſixteen rupees, the deed ſhall be executed on ſtamp paper of the value of one anna.
2. If above 16 rupees, and not exceeding 64 rupees—two annas.
3. If above 64 rupees, and not exceeding 125 rupees—four annas.
4. If above 125 rupees, and not exceeding 250 rupees—eight annas.
5. If above 250 rupees, and not exceeding 500 rupees—one rupee.
6. If above 500 rupees, and not exceeding 1,000 rupees—two rupees.
7. If above 1,000 rupees, and not exceeding 2,000 rupees—four rupees.
8. If above 2,000 rupees, and not exceeding 5,000 rupees—eight rupees.
9. If above 5,000 rupees, and not exceeding 10,000 rupees—ſixteen rupees.

10. If above 10,000 rupees, and not exceeding 20,000 rupees —thirty-two rupees.

11. If above 20,000 rupees, and not exceeding 50,000 rupees— fifty rupees.

12. If above 50,000 rupees, and not exceeding 100,000 rupees —one hundred rupees.

13. If above 100,000 rupees—one hundred and fifty rupees.

All pottahs, caboolyets or other inſtruments relative to lands held exempt from the payment of revenue to government, to be written on ſtampt paper.

XII. To prevent miſconſtruction, it is hereby declared, that every leaſe and its counterpart (pottah and caboolyet) or other engagement contracted between landlord and tenant, every receipt (dakelah) or other acknowledgement for the payment of rent, is required to be written on paper bearing the preſcribed ſtamp, ſuppoſing that ſuch leaſe, receipt, or other inſtrument relate to lands held exempt from the payment of revenue to government; but that inſtruments of the correſpondent deſcriptions, which have relation to lands ſubject to the payment of revenue to government, need not be written on ſtampt paper.

But ſuch inſtruments relative to lands ſubject to the payment of revenue to Government, need not be written on ſtampt paper.

Fees hitherto paid on the inſtitution of civil actions, on ſummonſes and on exhibits to be diſcontinued, and a ſtamp duty to be levied in lieu thereof.

XIII. From and after the date ſpecified in the preamble to this regulation, the fees hitherto paid on the inſtitution of civil actions, on ſummonſes, and on exhibits, ſhall be diſcontinued, and the following ſtamp duties ſhall be levied in lieu thereof:

TABLE.

In ſuits inſtituted in any court of judicature, and in appeals preferred from the judgments of any ſuch court to a ſuperior court, if the amount or value of the property claimed ſhall not exceed ſixteen rupees, the plaint or petition ſhall be written on paper of one rupee.

If above 16 rupees, and not exceeding 32 rupees— two rupees.

If above 32 rupees, and not exceeding 64 rupees— four rupees.

If above 64 rupees, and not exceeding 150 rupees—eight rupees.

If above 150 rupees, and not exceeding 300 rupees—ſixteen rupees.

If above 300 rupees, and not exceeding 800 rupees—thirty-two rupees.

If above 800 rupees, and not exceeding 1,600 rupees—fifty rupees.

If above 1,600 rupees, and not exceeding 3,000 rupees—one hundred rupees.

If above 3,000 rupees, and not exceeding 5,000 rupees—one hundred and fifty rupees.

If above 5,000 rupees, and not exceeding 10,000 rupees—two hundred and fifty rupees.

If above 10,000 rupees, and not exceeding 15,000 rupees—three hundred and fifty rupees.

If above 15,000 rupees, and not exceeding 25,000 rupees—five hundred rupees.

If above 25,000 rupees, and not exceeding 50,000 rupees—ſeven hundred and fifty rupees.

If above 50,000 rupees, and not exceeding 100,000 rupees—one thouſand rupees.

If above 100,000 rupees—two thouſand rupees.

In ſuits for land paying revenue to government, the value of the property how to be aſſumed.

XIV. *Firſt.* In ſuits for land paying revenue to government, the value of the property ſhall be aſſumed in the ceded and conquered provinces, including Cuttack, at the amount of the annual jumma payable on account of the land in queſtion to government; and in the provinces of Bengal, Behar, Benares and Oriſſa, excepting Cuttack, as already noticed, at three times the amount of the annual jumma payable on account of the land to government.

In ſuits for land held exempt from the payment of revenue to government, the value of the property how to be aſſumed.

Second. In ſuits for land held exempt from the payment of the public revenue to government, the value of the property ſhall be aſſumed throughout the country at eighteen times the amount of the computed annual produce of the land.

In ſuits for houſes, gardens,

Third. In ſuits for houſes, gardens, tanks, or other property, real or other property, and in actions for the recovery of damages in matters relating to marriage &c. the value how to be eſtimated.

real or perſonal, excepting the two deſcriptions of lands mentioned in the two preceding clauſes, and in actions for the recovery of damages in matters relating to marriage, caſt, or any perſonal injury, the value ſhall be eſtimated according to the rule contained in Section III, Regulation IV, 1793, and Section III, Regulation III, 1803.

Regiſters and native commiſſioners entitled to receive the fees incorporated with the ſtamp duty under Section XIII, of the preſent regulation.

Fourth. It is not intended by the proviſions of this regulation to deprive the regiſters of the zillah and city courts, or the native commiſſioners, of the eſtabliſhed proportion of the fees hitherto received on ſuits which may be inſtituted in the zillah and city courts, and referred to them for deciſion. But as thoſe fees are now incorporated under Section XIII, of the preſent regulation, with the ſtamp duty, payable on the plaint or petition, it ſhall be the duty of the zillah and the city judges to cauſe accounts of the proportion of the fees receivable by the regiſters and native commiſſioners under the exiſting rules, to be prepared at the expiration of every month, and to atteſt the ſame with their ſeals and official ſignature. The account ſo authenticated, ſhall be deemed a ſufficient warrant to the collectors for the payment of the amount receivable on the above account by the regiſters and native commiſſioners.

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vided by Clause
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espective parties

No exhibit to be filed without a derkhauſt or application, praying its admiſſion, written on ſtampt paper of a preſcribed value.

XV. No exhibit ſhall be filed in any court of judicature, without a derkhauſt or application, praying the admiſſion of the exhibit; which derkhauſt ſhall be written on ſtampt paper, as follows:

In the court of the regiſter; on paper of the value of eight annas.

In the zillah and city courts, on paper of the value of one rupee.

In the provincial courts of appeal; and in the Sudder Dewanny Adawlut; on paper of the value of two rupees.

No ſummons to be iſſued for the attendance of a witneſs without

XVI. In like manner, no ſummons ſhall be iſſued for the attendance of any witneſs, without a derkhauſt or application, praying the attendance of ſuch perſon, which derkhauſt ſhall be written on ſtampt paper of the value ſpecified in the preceding ſection, according to the court in which it may be delivered and recorded.

a derkhauſt written on ſtampt paper of the value ſpecified in the preceding ſection.

XVII. Every anſwer, replication, and rejoinder; every ſupplement, razenamah, ſooloonamah, ruſſanamah, or petition, which ſhall hereafter be filed in any ſuit, ſhall be written on ſtampt paper, as follows:—

Every anſwer, replication and rejoinder, &c. which may be filed in any ſuit to be written on ſtampt paper of a ſpecified value.

In the court of the regiſter, on paper of the value of eight annas.

In the zillah and city courts, on paper of the value of one rupee.

In the provincial courts of appeal, and in the Sudder Dewanny Adawlut, on paper of the value of four rupees.

XVIII. All miſcellaneous petitions and applications, which may be preſented to the different authorities in the Revenue and Judicial Departments, all mooktearnamahs, wakalutnamahs, and all charges preferred to the magiſtrates for adultery, fornication, rape, calumny, abuſive language, ſlight treſpaſs, or inconſiderable offences, (excepting always caſes of mayhem, actual affrays, and tumultuary aſſemblies of the people,) ſhall be written on ſtampt paper, as follows:—

Miſcellaneous petitions and applications of certain deſcriptions in the revenue and judicial departments to be written on ſtampt paper of a ſpecified value.

If preferred to a collector or aſſiſtant collector of the land revenue or cuſtoms, to either of the ſuperintendents of police, to a zillah or city judge, or magiſtrate; or to any other authority ſubordinate to the provincial courts; on paper of eight annas.

If preferred to a provincial court of appeal or circuit; on paper of one rupee.

If preferred to the court of Sudder Dewanny or Nizamut Adawlut, or to the Board of Revenue or Board of Commiſſioners; on paper of two rupees.

XIX. No copy of any paper ſhall be authenticated by any public

No copy of any paper to be authenticated by any public officer, or received in evidence, unleſs tranſcribed on ſtampt paper, according to the rates ſpecified in this ſection.

public officer or received as evidence in any court of judicature, unleſs tranſcribed on ſtampt paper, according to the following rates, viz.

Copies of decrees paſſed by regiſters and by judges of the city and zillah courts, ſhall be written on paper of the value of one rupee.

Copies of decrees paſſed by the provincial courts of appeal, on paper of two rupees.

Copies of decrees paſſed by the court of Sudder Dewanny Adawlut, ſhall be written on paper of four rupees.

Copies of the proceedings of the court of Sudder Dewanny Adawlut, prepared in order to be tranſmitted to His Majeſty in Council, ſhall be tranſcribed on paper of the value of two rupees.

Authenticated copies of revenue and judicial proceedings; authenticated copies of accounts, ſtatements, reports, or other documents, which individuals may require for uſe or reference, ſhall be written on paper of the value of eight annas.

The Board of Revenue and Board of Commiſſioners to cauſe the greateſt poſſible publicity to be given to the preſent regulation, and the rates of duty eſtabliſhed in it.

XX. It ſhall be the duty of the Board of Revenue and Board of Commiſſioners reſpectively, to cauſe the greateſt poſſible publicity to be given to the proviſions of the preſent regulation, and eſpecially to the rates of duty thereby eſtabliſhed on ſtampt paper.

The Board of Revenue and Board of Commiſſioners, and the officers acting under their authority, to adopt all legal and proper meaſures for the conviction and puniſhment of perſons forging or ſelling ſtampt paper, or guilty of other abuſes.

XXI. It ſhall likewiſe be the duty of the Board of Revenue and Board of Commiſſioners, and of the officers acting under their authority, to adopt all legal and proper meaſures for the conviction and puniſhment of perſons ſuſpected of forging or ſelling ſtampt paper, or uttering it knowing it to be forged; and likewiſe for the puniſhment of any authorized vender of ſtamps, either by means of a criminal proſecution, or by diſmiſſion from office, as may appear moſt proper according to the circumſtances of the caſe, who may be guilty of exacting more than the preſcribed rates for the ſale of ſtamps.

XXII. The collectors and affiſtant collectors of the land revenue ſhall in ordinary caſes be veſted with the charge of the ſtamp office ordered by the preſent regulation to be eſtabliſhed in each zillah. The Governor General in Council however reſerves to himſelf the power of nominating any other public officer, or deputing ſpecially any other covenanted ſervant of the Honorable Company to take charge of any ſuch ſtamp office in any diſtrict, in which that meaſure may appear to him to be adviſable, and perſons ſo nominated or deputed ſhall be entitled to exerciſe all the powers, and enjoy the emoluments granted to collectors of the land revenue by this regulation.

The collectors of the land revenue ſhall be veſted in ordinary caſes, with the charge of the ſtamp office ordered to be eſtabliſhed in each zillah, and power reſerved to government, to nominate any other public officer to take charge of any ſuch office.

APPENDIX.

No 1.

OATH.

" I A. B. appointed ſuperintendent of the ſtamps, ſolemnly ſwear, that I will diligently and faithfully execute the duties of the ſaid office, according to the beſt of my knowledge and judgment; and that I will not directly or indirectly derive, or knowingly allow any perſon to derive, any pecuniary advantage or emolument, from, or on account of, any matters relating to the ſaid office, excepting ſuch as may be expreſsly authorized by the Governor General in Council."

" So Help me God."

No. 2.

FORM OF ENGAGEMENT TO BE EXECUTED BY PERSONS APPOINTED TO THE OFFICE OF STAMP DAROGAH.

" I A. B. appointed by the collector of C————, to be ſtamp darogah, do hereby engage to perform the duties attached to the office of ſtamp darogah.

" I

"I will carefully count, and examine the ſtamps tranſmitted from the general ſtamp office, and atteſt the receipts executed by the collector for the ſame, and likewiſe prepare the indents for the ſupplies of ſtamps which may be required from the ſuperintendent.

"I will cauſe the different ſtamp venders eſtabliſhed in the diſtrict to be ſupplied in purſuance of ſuch inſtructions as I may receive from the collector, with proper quantities of ſtampt paper, and I will carefully examine, and compare the accounts of ſuch ſtamp venders.

"I will be reſponſible for the accounts of the ſtamp office, and for the value of the paper entruſted to my charge, and I will do every thing in my power to prevent impoſition and fraud in the ſtamp office, and will ſubmit to the collector any information which I may obtain reſpecting the forgery or fabrication of ſtamps.

"Executed before me this ——— day of ———.

(Signed) "C. D.

"*Collector.*"

No. 3.

FORM OF ENGAGEMENT TO BE EXECUTED BY PERSONS APPOINTED TO THE OFFICE OF STAMP VENDER.

I A. B. appointed to vend ſtamps at C in the pergunnah of D—————, in the diſtrict of E——————, do hereby engage faithfully to obſerve the following conditions:—

"1ſt. That I will carefully examine every ſtampt paper which may be entruſted to me for ſale, and certify in my receipts for the ſame, that ſuch paper bears the ſtamp of government, and the ſignature of the ſuperintendent or his aſſiſtant.

"2d. That I will not charge more for any ſtamp or ſtamps entruſted to me for ſale, than the eſtabliſhed price for ſuch ſtamp or ſtamps

"3d. That I will monthly prepare and deliver to the ſtamp darogah, or ſuch perſons as may be authorized to receive the ſame, a faithful account of all the ſtampt paper which may be ſold by me, and will likewiſe ſpecify the balance which may remain in ſtore, under my charge, and will on no account allow any perſon to take ſtampt paper away without receiving and bringing to account, the price of ſuch ſtampt paper."

"Executed before me, this ——
day of ——.
(Signed) "C. D.
"*Collector.*"

No. 4.

FORM OF SUNNUD TO BE GRANTED TO PERSONS APPOINTED TO THE OFFICE OF STAMP DAROGAH.

L. S.

"Whereas A. B. has executed the engagement preſcribed by Clauſe Sixth, Section X, Regulation I, 1814, to be entered into by perſons appointed to the office of ſtamp darogah; I C. D. collector of E——, do hereby conſtitute and appoint the ſaid A. B. to be darogah of the zillah ſtamp office under my charge."

"Given under my hand and ſeal,
"this —— day of ——.
(Signed) "C. D.
"*Collector.*"

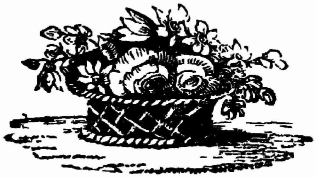
No. 5.

FORM OF SUNNUD TO BE GRANTED TO PERSONS APPOINTED TO THE OFFICE OF STAMP VENDER.

(L. S.)

" Whereas A. B. has duly executed the engagement required by Clauſe Sixth, Section X, Regulation I, 1814, to be executed by perſons authorized to ſell ſtamps; I C. D. collector of E————————, do hereby authorize the ſaid A. B. to be a ſtamp vender, and to open an office for the ſale of ſtamps at ——————, in pergunnah ——————, in the diſtrict under my charge."

" Given under my hand and ſeal,
" this ——— day of ———.
(Signed) " C. D.
" *Collector.*"



A. D. 1814. REGULATION II.

A REGULATION *for modifying the rules before eſtabliſhed for the trial of ſuits propoſed to be inſtituted against any of the public officers, who have been declared amenable, for acts connected with the diſcharge of their official duties, to the juriſdiction of the courts of civil judicature.*—PASSED *by the Governor General in Council, on the 29th January 1814, correſponding with the 17th Maug 1220 Bengal era; the 23d Maug 1221 Fuſſily; the 18th Maug 1221 Willaity; the 8th Maug 1870 Sumbut; and the 6th Suffer 1229 Higeree.*

Preamble. WHEREAS it is enacted in Sections II and III, Regulation VIII, 1806, that whenever a ſuit may be propoſed to be inſtituted againſt a collector or any other public officer, amenable for acts connected with his official duties to the juriſdiction of the zillah or city court, the provincial court, or Sudder Dewanny Adawlut, the court by which the plaint may be received, ſhall tranſmit it to the Governor General in Council, who after making ſuch enquiry through the channel of the Board of Revenue, Board of Commiſſioners, Board of Trade, or other public authority as may be judged proper, will determine whether the redreſs ſolicited ſhall be granted by Government, or whether the complainant ſhall be left to ſeek his remedy in the regular courſe of law, and in the latter caſe whether the ſuit ſhould be defended on the part of Government as a public action, or by the perſon affected by the complaint in his individual capacity: And whereas inconvenience has been experienced from the delay incident to that courſe of proceeding, and from its tendency to multiply references to the public authorities; the following rules have been enacted, to be in force from the period of their promulgation throughout the provinces immediately dependant on the preſidency of Fort William.

Sections II and III, Regulation VIII, 1806, reſcinded.

II. Sections II and III, Regulation VIII, 1806, are hereby reſcinded.

Whenever a petition of complaint may be preferred againſt a collector or other perſon for acts connected with his official duties, the judge or judges of the civil court by whom the petition may be received, is to tranſmit it to the Board to whoſe authority the perſon complained againſt may be ſubject.

III. *Firſt.* Whenever a petition of complaint may be preferred againſt a collector of the land revenue or cuſtoms, a commercial reſident, ſalt agent, or opium agent, or other perſon amenable for acts connected with his official duties, ſhall be preſented to any court of civil judicature competent to receive and try ſuch caſes, the judge or judges of ſuch court ſhall tranſmit the petition ſo received to the Board of Revenue, Board of Commiſſioners, or Board of Trade, according as the perſon againſt whom the complaint may be preferred, may be ſubject to either of thoſe authorities.

The Boards on receipt of any ſuch petition to determine whether the redreſs ſolicited ſhould be granted directly by Government, or whether the complainant ſhould be left to proſecute his ſuit in the regular courſe of law.

Second. The Board of Revenue, Board of Commiſſioners, o Board of Trade, on receipt of any petition of the nature deſcribe in the preceding clauſe, ſhall immediately take the circumſtances ſtated therein into their conſideration, in order to judg whether the redreſs ſolicited ſhould be granted directly by Go vernment, or whether the complainant ſhould be left to proſecut his ſuit in the regular courſe of law.

The Boards how to act when the

Third. Should the Board of Revenue, Board of Commiſſio ners, or Board of Trade be of opinion, after making due enquiries on the ſubject either by conſulting their own records, or by a reference to the local authorities, or in any other mode which may be judged adviſable, that the party complaining has been actually aggrieved, and that he is entitled to redreſs directly from Government, they ſhall ſubmit the neceſſary report on the ſubject accompanied with their opinion, as to the nature and extent of the relief which ſhould be granted.

party complaining may be actually aggrieved and may appear entitled to redreſs from Government.

Fourth. Should the Board of Revenue, Board of Commiſſioners, or Board of Trade be of opinion, after making due enquiries on the ſubject, that the party complaining ſhould be left to proſecute the caſe in the regular courſe of law, they ſhall inform the judge or judges of the court from whom the petition may have been received of the reſult of their deliberations on that point; and ſuch communication ſhall be deemed ſufficient authority for the formal inſtitution and trial of the ſuit in queſtion. The Boards aforeſaid ſhall at the ſame time determine whether the ſuit ſhould be defended by the public officers as an action againſt Government, or by the perſon affected by the complaint in his individual capacity, and ſhall inform the judge or judges by whom the caſe may have been referred to them of their deciſion on this point accordingly,

And how to act in caſe the complainant ſhould be left to proſecute the ſuit in the regular courſe of law.

IV. In order to prevent miſconſtruction, it is hereby declared, that the foregoing proviſions are only intended to apply to caſes of the deſcription of thoſe mentioned in Sections II and III, Regulation VIII, 1806, and are not to be conſidered applicable to charges of corruption, for the receipt and trial of which ſeparate proviſions have been eſtabliſhed by Regulation XVII, 1813.

The proviſions of this regulation only applicable to caſes mentioned in Sections II and III, Regulation VIII, 1806, and not to charges mentioned in Regulation XVII, 1813.

BENGAL SECRETARIAT LIBRARY

A. D. 1814. REGULATION III.

A REGULATION *for extending the proviſions of Regulation* XIII, 1813, *to the stations at which the magistrates reſide in the diviſions of Dacca, Moorſhedabad, Calcutta and Patna.*—PASSED *by the Governor General in Council, on the* 5*th February* 1814, *correſponding with the* 24*th Maug* 1220 *Bengal era; the* 1*st Phaugoon* 1221 *Fuſſily; the* 25*th Maug* 1221 *Willaity; the* 1*st Phaugoon* 1870 *Sumbut; and the* 13*th Suffer* 1229 *Higeree.*

Preamble.

WHEREAS Regulation XIII, 1813, contains rules for the appointment and maintenance of chokeydars, in aid of the regular police, at the cities of Dacca, Moorſhedabad and Patna; And whereas it is on every ground expedient and proper that thoſe proviſions ſhould be extended to the ſeveral ſtations, at which the magiſtrates ordinarily reſide in the diviſions of Calcutta, Dacca, Moorſhedabad and Patna; the following rules have been accordingly enacted by the Governor General in Council.

Regulation XIII, 1813, extended to the ſeveral ſtations at which the magiſtrates re-

II. Regulation XIII, 1813, is hereby extended to the ſeveral ſtations at which the zillah magiſtrates ordinarily reſide in the diviſions of Calcutta, Dacca, Moorſhedabad and Patna; to be ſide in the diviſions of Calcutta, Dacca, Moorſhedabad and Patna.

in force in the diſtricts in which the Bengal era is current from the 12th April next, being the commencement of the Bengal year 1221; and in the diſtricts in which the Fuſſily era is current from the 30th September next, being the commencement of the Fuſſily year 1222; and in the diſtricts in which the Willaity era is current from the 26th September next, being the commencement of the Willaity year 1222.

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A. D. 1814. REGULATION IV.

A REGULATION *for repealing Regulation* VIII, 1812.—PASSED *by the Governor General in Council, on the* 11*th March* 1814, *correſponding with the* 29*th Phaugoon* 1220 *Bengal era; the* 5*th Chyte* 1221 *Fuſſily; the* 30*th Phaugoon* 1221 *Willaity; the* 5*th Chyte* 1871 *Sumbut; and the* 18*th Rubbi-ul-Awul* 1229 *Higeree.*

Preamble.

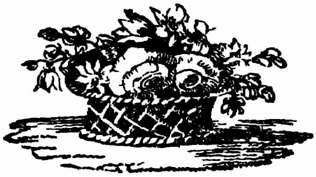
WHEREAS it has been deemed proper, with reference to the proviſion contained in the 53d GEORGE III, Cap. 155, Section 21, to repeal Regulation VIII, 1812, the following rules have been paſſed, to be immediately in force.

Regulation VIII, 1812, repealed.

II. Regulation VIII, 1812, entitled "A regulation for declaring the manufacture of ſalt petre to be a monopoly on the part of Government," is hereby repealed.

Salt petre ſubject to what duties.

III. To prevent miſconſtruction, the officers in the department of cuſtoms are hereby required to obſerve, that the rule contained in Clauſe Firſt, Section XII, Regulation IX, 1810, as modified by Section II, Regulation XIX, 1812, under which ſalt petre is ſubject to a tranſit duty of ſeven and a half per cent, is in full force and effect. In like manner the proviſion contained in Regulation III, 1811, by which ſalt petre is liable to an additional duty of ſeven and a half per cent when exported on foreign bottoms, is alſo in full force and effect.



A. D. 1814. REGULATION V.

A REGULATION *for amending ſuch parts of the regulations before enacted as relate to the appointment of the Judges of the Provincial Courts of Appeal and Circuit.*—PASSED *by the Governor General in Council, on the* 19*th March* 1814, *correſponding with the* 7*th Chyte* 1220 *Bengal era; the* 13*th Chyte* 1221 *Fuſſily; the* 8*th Chyte* 1221 *Willaity; the* 13*th Chyte* 1871 *Sumbut; and the* 26*th Rubbi-ul-Awul* 1229 *Higeree.*

Preamble.

WHEREAS it is provided by the regulations before enacted, that the provincial courts of appeal and circuit ſhall conſiſt each of three judges; and whereas experience has ſhewn that three perſons are inadequate to the performance of the multifarious and laborious duties of thoſe courts; and whereas it is expedient to make proviſion for the more regular, uniform, and expeditious trial of civil ſuits in thoſe courts, and for the more prompt diſpatch of other buſineſs at the principal ſtations of the ſaid courts, the following rules have been enacted; to be in force from the period of their promulgation, throughout the provinces immediately dependent on the Preſidency of Fort William.

Such former regulations as provide that the provincial courts ſhall be ſeverally ſuperintended by three judges, reſcinded.

II. *First.* Such parts of Section II, Regulation V, 1793, Section II, Regulation IX, 1795, and Section II, Regulation IV, 1803, and of any other rules as provide that the provincial courts ſhall be ſeverally ſuperintended by three judges, are hereby reſcinded.

The ſeveral provincial courts to conſiſt each of four judges.

Second. The provincial courts for the diviſions of Calcutta, Dacca, Moorſhedabad, Patna, Benares, and Bareilly, ſhall conſiſt each of four judges; to be denominated the firſt, ſecond, third, and fourth judges of thoſe courts reſpectively.

The judges to exerciſe both civil and criminal juriſdiction.

Third. The judges of the abovementioned courts ſhall exerciſe both civil and criminal juriſdiction, under ſuch rules as have been or may be eſtabliſhed for their guidance in the diſcharge of thoſe important functions.

The former rules which provide that the ſenior judge ſhall proceed in rotation on the circuit for the purpoſe of holding the half yearly jail deliveries, reſcinded.

III. *Firſt.* Section VIII, Regulation I, 1806, and any other proviſions which require that, the ſenior judge of each diviſion ſhall in future proceed in rotation on the circuit, for the purpoſe of holding the half yearly jail deliveries at the ſeveral ſtations, &c. are hereby reſcinded.

The duties of circuit including the jail deliveries at the principal ſtations, to be performed in regular ſucceſſion, by the ſecond, third and fourth judges.

The ſenior judge to remain at the principal ſtation for the conduct of the public buſineſs.

Proviſo, in what caſes the firſt judge may be ordered to hold the ſeſſions.

Second. The duties of the circuit, including the jail deliveries at the principal ſtations, ſhall in ordinary caſes be performed in regular ſucceſſion by the ſecond, third, and fourth judges of the ſaid courts; and the firſt judge ſhall remain fixed for the conduct of the public buſineſs at the principal ſtation under ſuch rules, as have been or may be eſtabliſhed for that purpoſe; provided however, that nothing contained in this ſection, ſhall be conſtrued to preclude the Governor General in Council, or the Nizamut Adawlut, from ordering the firſt judge to hold the ſeſſion of jail delivery at the principal ſtation, or at any other ſtation or ſtations, whenever any exigency may in the judgment of either of thoſe authorities appear to require the ſervices of the firſt judge of either of the provincial courts in the diſcharge of ſuch duty.

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A. D. 1814. REGULATION VI.

A REGULATION *for modifying certain parts of Regulation* IX, 1810, and *Regulation* I, 1812.—PASSED *by the Governor General in Council, on the* 19*th March* 1814; *correſponding with the* 7*th Chyte* 1220 *Bengal era; the* 13*th Chyte* 1221 *Fuſſily; the* 8*th Chyte* 1221 *Willaity; the* 13*th Chyte* 1871 *Sumbut; and the* 26*th Rubbi-ul-Awul* 1229 *Higeree.*

Preamble.

WHEREAS with a view to the more accurate adjuſtment, and effectual collection of the eſtabliſhed duties, it has been deemed adviſable to make certain alterations in the Regulations before enacted; and whereas it has been deemed juſt and reaſonable to relieve the inhabitants of the late foreign factories from the payment of double duties, ſo long as thoſe factories ſhall continue on their preſent footing; the following rules have been enacted, to be in force from the period of their promulgation, throughout the territories immediately dependent on the preſidency of Fort William.

Indigo if intended for exportation by ſea and for which the rowannahs may not be produced by the exporters, ſhall

II. Under Clauſe Firſt, Section XII, Regulation IX, 1810, a duty of two and a half per cent is leviable on indigo, the produce of the dominions of His Excellency the Nawaub Vizier on it's exportation by ſea. There being reaſon however to believe that on be deemed and taken to be the manufacture of the Vizier's dominions, and ſubject to what duties.

the exportation by ſea of indigo manufactured in the Vizier's territories, the payment of the preſcribed duty has been evaded by the exporters withholding their rowannahs, and declaring that it is the produce of the territories of the Britiſh Government, it is hereby declared, that all indigo which may be intended for exportation by ſea, and for which the rowannahs may not be produced by the exporters, ſhall be deemed and taken to be the manufacture of the Vizier's dominions, and ſhall be ſubject to the payment of the duty of two and a half per cent, eſtabliſhed on the exportation of all indigo of that deſcription, if it be exported on Britiſh bottoms, and of ſeven and a half per cent, if it be exported on foreign bottoms.

The book of rates preſcribed by Clauſes Firſt and Second, Section XV, Regulation IX, 1810, to be reviſed and republiſhed annually.

III. By Clauſes Firſt and Second, Section XV, Regulation IX, 1810, it is provided, that a book of rates ſpecifying the value of the ſeveral articles chargeable with duty ad valorem, ſhall be prepared by the collectors of cuſtoms, and that ſuch book ſhall be reviſed and republiſhed at the expiration of every third year. With a view to the convenience of the community, and the moſt accurate adjuſtment poſſible of the cuſtoms, it is hereby enacted, that the ſaid book of rates ſhall be reviſed and republiſhed annually; and as ſoon after the expiration of each year as poſſible.

The operation of Clauſe Second, Section XCVII, Regulation IX, 1810, ſuſpended.

IV. *Firſt.* The operation of Clauſe Second, Section XCVII, Regulation IX, 1810, is hereby ſuſpended.

Goods imported into the late foreign factories from the interior of the country ſubject to what rates of duty.

Second. Goods imported into the late foreign factories from the interior of the country ſo long as thoſe places ſhall continue on their preſent footing, ſhall be ſubject only to the ſame rate of duty as goods exported from Calcutta on Britiſh bottoms.

Clauſe Second, Section XCVII, Regulation IX, 1810, to be again in force, ſhould the factories be reſtored on the concluſion of a peace.

Third Clauſe Second, Section XCVII, Regulation IX, 1810 will however of courſe be in full force and effect without any furthe enactment, ſhould the factories therein deſcribed be reſtored on th concluſion of a peace, to the powers to which they formerly be longed, or ceded to any other foreign power.

No drawbacks will be granted, unleſs the applications for them be accompanied by the goods, as well as by the rowannahs.

V. By Section XX, Regulation I, 1812, it is required, that all applications for drawbacks ſhall be accompanied by the rowannah or rowannahs covering the goods intended to be exported. It is hereby further declared, that no ſuch drawbacks will be granted, unleſs the applications for them ſhall be accompanied by the goods, as well as by the rowannahs, to enable the officers of the cuſtoms to aſcertain that the goods are contained in the original packages, and that they are the identical goods ſpecified in the rowannahs.

A cuſtom houſe eſtabliſhed in the town of Saharunpore.

VI. A cuſtom houſe for the more effectual collection of the eſtabliſhed tranſit duties or government cuſtoms is hereby eſtabliſhed at the town of Saharunpore in the conquered provinces; and the general rules which are at preſent in force, or may be hereafter enacted, with reſpect to duties of that deſcription, ſhall be conſidered applicable to the cuſtom houſe at Saharunpore, in common with thoſe eſtabliſhed in other parts of the country.

A. D. 1814. REGULATION VII.

A REGULATION *for modifying a part of the proviſions contained in Regulation* X, 1809, *reſpecting the copper coinage of the province of Benares.*—PASSED *by the Governor General in Council, on the* 29*th April,* 1814; *correſponding with the* 18*th Byſaak* 1221 *Bengal era; the* 25*th Byſaak* 1221 *Fuſſily; the* 19*th Byſaak* 1221 *Willaity; the* 10*th Byſaak* 1871 *Sumbut; and the* 8*th Jummadi-ul-Awul* 1229 *Higeree.*

WHEREAS it is enacted in Section II, Regulation X, 1809, that the copper coin required for the province of Benares ſhall be ſtruck at the Calcutta mint; and whereas inconvenience has been experienced from the delay incident to that arrangement; the following rules have been enacted, to be immediately in force in the province of Benares.

Preamble.

II. *Firſt.* So much of Section II, Regulation X, 1809, as preſcribes that the copper coin required for the province of Benares, ſhall be ſtruck at the Calcutta mint, is hereby reſcinded.

Part of Section II, Regulation X, 1809, reſcinded.

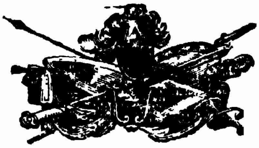
Second. The copper coin required for the province of Benares, ſhall be in future ſtruck at the city of Benares.

Copper coin required for the province of Benares, to be in future ſtruck at that city.

III. In

The figure of a Tirſool to be impreſſed on the copper coin.

III. In compliance with eſtabliſhed uſage, the figure of a Tirſool ſhall be impreſſed on all the copper coin, which may hereafter be ſtruck at the city of Benares.



A. D. 1814. REGULATION VIII

A REGULATION *for extending the proviſion contained in Clauſe Second, Section* IV, *Regulation* III, 1812, *to caſes of murder, arſon, and theft.*—PASSED *by the Governor General in Council, on the* 13*th May* 1814; *correſponding with the* 1*st Jeyte* 1221 *Bengal era; the* 9*th Jeyte* 1221 *Fuſſily; the* 2*d Jeyte* 1221 *Willaity; the* 9*th Jeyte* 1871 *Sumbut; and the* 22*d Jummadi-ul-Awul* 1229 *Higeree.*

Preamble.

WHEREAS it is eſſential to the maintenance of an efficient police, that zemindars, farmers, and others ſhould furniſh the magiſtrates with punctual information of all murders, and of the offences of arſon and theft committed within the limits of the eſtate or farm held by them, the following rule has been enacted, to be in force from the period of its promulgation throughout the territories immediately dependent on the preſidency of Fort William,

II.

Zemindars and others accountable for early and punctual information of the commiſſion of murders, arſon, and theft within the limits of their eſtates or farms.

II. With the view of affording to the magiſtrates more early and punctual information of public offences committed within the limits of their reſpective juriſdictions, all zemindars, talookdars and other proprietors of lands, whether malgoozary or lackeraje; all ſudder farmers and under renters of land, of every deſcription; all dependant talookdars, all naibs, and other local agents; all native officers employed in the collection of the revenue and rents of lands on the part of Government or of the court of wards, are hereby declared eſpecially accountable for the early and punctual communication to the magiſtrates, or police darogahs, of all information which they may obtain reſpecting the commiſſion of murders, and likewiſe regarding the offences of arſon and theft, perpetrated within the limits of the eſtate or farm held or managed by them; and any laudholder or other deſcription of perſons above noticed, to whom ſuch reſponſibility is declared to attach, who may neglect to give the information hereby required, to the police darogah, or to the magiſtrate, shall, on proof of ſuch neglect, after an inquiry ſimilar to that directed by Section XIII, Regulation IX, 1808, be ſentenced by the magiſtrate to pay a fine, or to ſuffer impriſonment not exceeding the limitation therein ſpecified.

A. D. 1814. REGULATION IX.

A REGULATION *for explaining the extent and meaning of Regulation* XIII, 1813, *and Regulation* III, 1814.—PASSED *by the Governor General in Council on the* 17*th May* 1814; *correſponding with the* 5*th Jeyte* 1221 *Bengal era; the* 13*th Jeyte* 1221 *Fuſſily; the* 6*th Jeyte* 1221 *Willaity; the* 13*th Jeyte* 1871 *Sumbut; and the* 26*th Jummadi-ul-Awul* 1229 *Higeree.*

WHEREAS it is enacted by Regulation III, 1814, that the proviſions contained in Regulation XIII, 1813, ſhall extend to the ſeveral ſtations at which the magiſtrates ordinarily reſide; and whereas it is expedient to obviate any doubts which might otherwiſe ariſe reſpecting the claſſes of perſons ſubject to the operation of the ſaid regulations, the following rules have been enacted, to be in force in the diſtricts in which the Bengal era is current, from the period of their promulgation; and in the diſtricts, in which the Fuſſily era is current, from the 30th September next, being the commencement of the Fuſſily year 1222; and in the diſtricts, in which the Preamble.

Willaity era is current from the 26th September next, being the commencement of the Willaity year 1222.

Deſcription of perſons who are ſubject to the operation of Regulation XIII, 1813, and Regulation III, 1814.

II. Regulation XIII, 1813, and Regulation III, 1814, ſhall extend, from the periods above mentioned reſpectively, to all and every perſon and perſons whomſoever, Britiſh ſubjects, and others, reſident or being within the diſtricts in which the ſaid regulations are, or ſhall be reſpectively in force.

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A. D. 1814. REGULATION X.

A REGULATION *for explaining ſo much of Regulation* I, 1814, *as relates to engagements contracted between government and individuals.*—PASSED *by the Governor General in Council on the 20th May* 1814; *correſponding with the* 8*th Jeyte* 1221 *Bengal era; the* 16*th Jeyte* 1221 *Fuſſily; the* 9*th Jeyte* 1221 *Willaity; the* 1*ſt Jeyte* 1871 *Sumbut; and the* 29*th Jummadi-ul-Awul* 1229 *Higeree.*

Preamble.

WHEREAS Regulation VII, 1800, generally has been reſcinded by Section II, Regulation I, 1814; and whereas it was not the intention of the Governor General in Council by ſuch reſciſſion to require, that engagements, which might be contracted between government and individuals, ſhould be written on ſtampt paper, the following rules have been paſſed, declaratory of the intentions of government on that point.

Explanation of certain proviſions contained in Regulation I, 1814.

II. Nothing contained in Section IX, Regulation I, 1814, or in any other ſection of that regulation, ſhall extend or be conſtrued to extend to engagements which have been or may be contracted between government and individuals, for the proviſion of the Honorable Company's inveſtment, or regarding the manufacture of ſalt, or the culture of the poppy and the manufacture of opium, or the manufacture or ſale of ſpirituous or fermented liquors or intoxicating drugs, or any other matter, in which government may be one of the contracting parties.— All ſuch engagements, and likewiſe the various inſtruments mentioned in Section IX, Regulation I, 1814, to which government has been or may be a party, ſhall be received and admitted in evidence in the different courts of judicature, although written on plain or unſtampt paper, any thing contained in the ſaid Regulation to the contrary notwithſtanding.

A. D. 1814. REGULATION XI.

A REGULATION *to make further proviſion for the puniſhment of perſons convicted of breaking into, or attempting to break into, houſes, tents, boats, or other places of habitation, or into warehouſes or other places uſed for the custody of property, with an intent to steal:*—PASSED *by the Governor General in Council, on the* 27*th May* 1814*; correſponding with the* 15*th Jeyte* 1221 *Bengal era; the* 23*d Jeyte* 1221 *Fuſſily; the* 16*th Jeyte* 1221 *Willaity; the* 9*th Jeyte* 1871 *Sumbut; and the* 6*th Jummadi-us-Sanee* 1229 *Higeree.*

Preamble.

THE puniſhments, which the courts of circuit are directed to adjudge by Sections III and IV, of Regulation I, 1811, on conviction of the crimes therein ſpecified, are not more than adequate to the exemplary puniſhment of offenders ſo convicted, when there may be no ſpecial circumſtances of extenuation, to warrant and call for a mitigation of the preſcribed penalties. But no proviſion is made in the abovementioned regulation for a mitigated ſentence by the courts of circuit, who have in conſequence found it neceſſary to refer the trial to the Nizamut Adawlut, in every inſtance wherein the ſtated puniſhment has appeared too ſevere. The following rules have conſequently been enacted, to be in force from the period of their promulgation throughout the territories immediately dependant on the preſidency of Fort William; with the view alſo of expediting the trial of perſons committed to priſon or held to bail in the 24 Pergunnahs, the proviſion hereinafter ſtated has been adopted, to be immediately in force in that zillah.

Sections II, III, and IV, Regulation I, 1811, modified.

II. *Firſt.* The proviſions contained in Sections II, III, and IV, of Regulation I, 1811, for the puniſhment of perſons convicted of the offences therein ſpecified, are hereby declared ſubject to the following modifications.

Sentence to be paſſed on perſons convicted of breaking into, or attempting to break into a place of habitation, by night or day, with an intent to ſteal, but without open violence.

Or into a place uſed for cuſtody of property.

Or being preſent, aiding and abetting in any of the ſaid offences.

Or having cauſed the perpetration by hire, counſel, or command.

Or having confederated with the perpetrators.

Unleſs there appear to be circumſtances of extenuation.

Second. When a priſoner may be convicted before a court of circuit of breaking into or attempting to break into a dwelling houſe, tent, boat or other place of habitation, by night or by day, with an intent to ſteal; but without open violence, ſuch as to conſtitute the crime of robbery by open violence; or of breaking into, or attempting to break into, any warehouſe, ſtorehouſe, or other building or place uſed for the cuſtody and preſervation of property, either by night or day with an intent to ſteal, but without open violence; or of being preſent, aiding and abetting in the commiſſion of any of the offences above ſpecified; or although not preſent, of having procured or cauſed the perpetration thereof by hire, counſel or command, or having in any manner confederated with the perpetrators in purſuance of a preconcerted plan; the judge of circuit, provided he ſhall concur in the futwa of the law officer, convicting the offender, whether ſuch conviction be founded on a free and voluntary confeſſion, or on the teſtimony of credible witneſſes, or on ſtrong circumſtantial evidence, ſhall paſs ſentence upon the priſoner ſo convicted, according to the nature of the caſe, and the ſeveral degrees of puniſhment ſpecified in Section III, Regulation I, 1811; unleſs from any circumſtances of extenuation, ſuch as the tender age of the priſoner, or his not having been armed, or the offence not having been committed by two or more perſons, the judge of circuit ſhall be of opinion that the puniſhment ſtated in the above mentioned ſection would be too ſevere; in which caſe he is authorized to mitigate the ſentences therein preſcribed, under the following reſtrictions.

In which caſe the judge of circuit may mitigate the preſcribed ſentence under ſtated reſtrictions.

Third. The ſentence of impriſonment in baniſhment from the diſtrict, during fourteen years, and corporal puniſhment not exceeding thirty nine ſtripes of the corah, preſcribed in Clauſe Firſt, of Section III, Regulation I, 1811, for the offence of breaking into a houſe, or other place of habitation, with an intent to ſteal, beween ſun-ſet and ſun-riſe, and now extended to an attempt to commit the ſaid offence, may be mitigated in caſes of extenuation, to ſuch period of impriſonment with or without ſtripes or baniſhment, as the judge of circuit may conſider ſufficient, not being leſs than ſeven years.

What mitigation allowed in convictions of breaking into, or attempting to break into a place of habitation, with intent to ſteal between ſun ſet and ſun-riſe.

Fourth. The ſentence of impriſonment in baniſhment for ſeven years, and corporal puniſhment not exceeding twenty ſtripes of the corah, preſcribed by Clauſes Second and Third, of Section III, Regulation I, 1811, for the offence of breaking into a houſe or other place of habitation, with an intent to ſteal, between ſun-riſe and ſun-ſet, as well as for the offence of breaking into a warehouſe, ſtorehouſe, or other building or place uſed for the cuſtody and preſervation of property, with an intent to ſteal, either by night or by day, and now extended to an attempt to commit either of the ſaid offences, may be mitigated, in caſes of extenuation, to ſuch period of impriſonment, with or without ſtripes and baniſhment, as the judge of circuit may conſider ſufficient, not being leſs than three years.

And what, in convictions for the ſame offence between ſun riſe and ſun ſet.

Or for breaking into or attempting to break into a place uſed for cuſtody of property, with intent to ſteal by day or night.

Fifth. The judges of circuit ſhall in all caſes, wherein they may exerciſe the diſcretionary power veſted in them by the preceding clauſes, record their reaſons for the mitigated ſentence paſſed by them; and if in any inſtance a juſt conſideration of all the circumſtances of the caſe ſhall appear to them to call for a further mitigation or remiſſion of puniſhment, they ſhall (provid-

Judges of circuit to record their reaſons for exerciſe of diſcretionary powers veſted in them.

ed

And if further mitigation of puniſhment appear requiſite, to paſs ſentence according to the preceding clauſes and refer the trial to the Nizamut Adawlut with a full report.

ed they concur with their law officers in the conviction of the priſoner) paſs ſentence according to the preceding clauſes, and refer the trial with a full report of their ſentiments, to the court of Nizamut Adawlut, for the final ſentence or order of that court, in purſuance of Section III, Regulation XIV, 1810.

Rules for holding the quarterly jail deliveries in the 24 Pergunnahs reſcinded.

III. Such parts of Section IV, Regulation II, 1804, and of any other regulation, as enact that the jail deliveries ſhall be holden quarterly in the 24-Pergunnahs, are hereby reſcinded.

The jail deliveries in the 24-Pergunnahs to be holden monthly.

IV. The jail deliveries ſhall be in future holden monthly in the 24-Pergunnahs, to commence on the 1ſt day of each month, or as ſoon afterwards as circumſtances may permit.

A. D. 1814. REGULATION XII.

A REGULATION *for ſecuring to the invalid native officers, ſoldiers and others, the reduced pay or penſion granted to them for their ſupport on retiring from ſervice.*—PASSED *by the Governor General in Council, on the 27th May 1814; correſponding with the 15th Jeyte 1221 Bengal era; the 23d Jeyte 1221 Fuſſily; the 16th Jeyte 1221 Willaity; the 9th Jeyte 1871 Sumbut; and the 6th Jummadi-us-Sanee 1229 Higeree.*

Preamble.

WHEREAS it is juſt and expedient that the reduced pay or penſions of invalid native officers, ſoldiers, and other perſons, granted as a proviſion to worn out and diſabled military and other public ſervants on their retirement from the ſervice of the ſtate, ſhould be ſtrictly and invariably applied to the purpoſe for which they have been granted by the beneficence of the government, that is to ſay, to the ſupport of the veteran or old and infirm ſervant of the ſtate, and not be liable to be diverted from that purpoſe for the diſcharge of previous debts, or in conſequence of ſubſequent bargains or agreements, which the artifices of deſigning perſons practiſing on the ſimplicity of the invalid ſoldier and penſioner, may induce him to enter into; whereby the beneficent and charitable views of the government are defeated, and the money of the ſtate, which the liberality of the government beſtows on the veteran and worn out public ſervant, for his ſupport and maintenance in old age and infirmities, is diverted to the uſe and benefit of perſons who have no claim upon the ſtate nor right to be paid out of its reſources; therefore the following rules have been enacted by the Governor General in Council, to be in force from the date of their promulgation.

Penſions granted by Government to invalid native officers and ſoldiers not to be ſeized, or attached at the inſtance of a creditor, or in ſatisfaction of a decree of court.

II. The reduced pay or penſion, however denominated of invalid officers and ſoldiers and retainers of the army, being perſons amenable by reaſon of their birth in India, or for other cauſe to the juriſdiction of the courts of dewanny adawlut, or any other monthly or annual pecuniary allowance granted on retirement from the public ſervice, by the authority of the Governor General in Council, to any perſon amenable to the juriſdiction of courts of dewanny adawlut, in conſideration of paſt ſervices and preſent infirmities or old age for the term of the life of ſuch worn out or diſabled officer or public ſervant, is hereby declared not liable to ſeizure, attachment, or ſequeſtration at the inſtance of a creditor for any demand againſt the penſioner, or in ſatisfacton of a decree or order of court, nor any money due or to become due on account of ſuch penſion or allowance; unleſs the ſame have been aſſigned or made over by the penſioner by a writing under his ſignature, executed previous to the date of the promulgation of this regulation.

Exception in what caſe.

All aſſignments, bargains, ſales, &c. which may be made by a penſioner after the date of the promulgation of this regulation, for money to be due thereafter on account of his penſion, to be null and void and of no effect.

III. All aſſignments, bargains, ſales, contracts, agreements, or ſecurities, whatſoever, made after the date of the promulgation of this regulation by ſuch penſioner as deſcribed in the foregoing ſection, for any money to become due thereafter on account of his penſion, ſhall be null and void and of no effect. But nothing herein contained ſhall be conſtrued to prevent or render null the aſſignment of money due on account of a penſion or monthly or

In what caſe excepted.

annual pecuniary allowance, by a writing under the ſignature of the penſioner, executed on or after the date, when the ſame ſhall become due.

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A. D. 1814. REGULATION XIII.

A REGULATION *for the abolition of the office of cutwal in the cities of Dacca, Patna, and Moorſhedabad.*—PASSED *by the Governor General in Council, on the* 10th *June* 1814; *correſponding with the* 29th *Jeyte* 1221 *Bengal era; the* 7th *Aſſar* 1221 *Fuſſily; the* 30th *Jeyte* 1221 *Willaity; the* 7th *Aſſar* 1871 *Sumbut; and the* 20th *Jummadi-us-Sanee* 1229 *Higeree.*

Preamble.

WHEREAS Regulation XXII, of 1793, contains rules for the appointment of a native officer, under the deſignation of cutwal, in each of the cities of Dacca, Patna, and Moorſhedabad; and whereas there appears reaſon to believe that the continuance of the office of cutwal is unneceſſary, and in ſome reſpects prejudicial to the maintenance of an efficient police in the aforeſaid cities; the following rules have been enacted, to be in force from the date of their promulgation.

Parts of Regulation XXII, of 1793, and other exiſting rules

II. Such parts of Sections XXVI, XXVIII, XXIX, XXXI, XXXII, XXXIV, XXXVI, XXXVIII, and XXXIX, Regulation XXII, which define the duties of the cutwal in the cities of Dacca, Patna and Moorſhedabad, reſcinded.

XXII, of 1793, or of any other rules now in force, as define the duties of the cutwal in the cities of Dacca, Patna, and Moorſhedabad, are hereby reſcinded.

The office of cutwal in Dacca, Patna, and Moorſhedabad aboliſhed.

III. The office of cutwal in the cities of Dacca, Patna, and Moorſhedabad, is hereby aboliſhed.

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A. D. 1814. REGULATION XIV.

A REGULATION *for forming the zillah of the* 24 *pergunnahs into two diſtinct juriſdictions.*—PASSED *by the Governor General in Council on the* 14*th June* 1814; *correſponding with the* 1*st Aſſar* 1221 *Bengal era; the* 11*th Aſſar* 1221 *Fuſſily; the* 2*d Aſſar* 1221 *Willaity; the* 11*th Aſſar* 1871 *Sumbut; and the* 24*th Jummud-us-Sanee* 1229 *Higeree.*

Preamble.

WHEREAS it has been judged eſſential, on account of the great and increaſing population of the ſuburbs of Calcutta, and with reference to certain arrangements, which have been adopted for the more effectual ſupport of the police in the city of Calcutta, that the diſtrict of the 24 pergunnahs ſhould be divided into two diſtinct juriſdictions, the following rules have been enacted, to be in force from the 1ſt Auguſt next.

The places compriſed in the juriſdiction of the judge and magiſtrate of the 24 Pergunnahs formed into

II. The places at preſent compriſed in the juriſdiction of the judge and magiſtrate of the 24 pergunnahs ſhall, from the date ſpecified in the preamble to this regulation, be formed into two zillahs;

to two diſtinct zillahs. How to be denominated.

zillahs, one zillah to be denominated the ſuburbs of Calcutta, and the other the 24 pergunnahs beyond the ſuburbs of Calcutta.

The ſuburbs of Calcutta to conſiſt of what thannahs.

III. *Firſt.* The ſuburbs of Calcutta ſhall conſiſt of the thannahs of Chitpore, Manicktullah, Tazeerhaut, Nowhazarry, and Sulkeeah.

The 24 pergunnahs to conſiſt of what thannahs and places.

Second. The 24 pergunnahs ſhall conſiſt of all the thannahs and places at preſent included in the diſtrict ſo called with exception to the thannahs ſpecified in the preceding clauſe.

Reſervation of power to the Governor General in Council for making any alterations in the above-mentioned zillahs, when deemed expedient.

Third. Provided however, that nothing herein contained ſhall be conſtrued to prevent the Governor General in Council from making any alteration in the limits of the ſaid zillahs or of any of the zillahs adjacent, conformably to the powers uſually exerciſed by the Government in caſes of that nature, which may at any time be deemed neceſſary or expedient.

A. D. 1814. REGULATION XV.

A REGULATION *to define the puniſhment to which perſons convicted of two or more offences, ſhall in certain caſes be ſubject.*—PASSED *by the Governor General in Council, on the* 21*st June* 1814*; correſponding with the* 8*th Aſſar* 1221 *Bengal era; the* 18*th Aſſar* 1221 *Fuſſily; the* 9*th Aſſar* 1221 *Willaity; the* 4*th Aſſar* 1871 *Sumbut; and the* 2*d Rajeeb* 1229 *Higeree.*

WHEREAS it is requiſite to define the puniſhment to be adjudged on conviction of certain crimes, in caſes in which the ſame priſoner may be convicted, on ſeparate charges and commitments, of two or more offences, the penalties of which, in the aggregate, may include a period of impriſonment exceeding the term of fourteen years, the following rules have been enacted to be in force from the promulgation of them throughout the territories immediately dependent on the Preſidency of Fort William.

Preamble.

II. *Firſt.* Whenever a priſoner may be brought to trial before a court of circuit, for two or more diſtinct offences, included

Diſcretion veſted in the courts of circuit to reduce the pre-

in

ſcribed penalties in caſes of conviction of two or more diſtinct offences, when the aggregate puniſhment may exceed 39 ſtripes with a corah, and impriſonment for 14 years; and the priſoner may not be liable, on any one of the charges eſtabliſhed againſt him, to a ſentence of death or impriſonment for life.

Proviſion if the priſoner appear to be deſerving of impriſonment for a longer term than 14 years.

The judge of circuit to paſs ſentence in ſuch caſes for the puniſhment preſcribed by the regulation; ſtripes excepted which ſhall never exceed 39 at any one ſeſſions,

and to tranſmit the proceedings on each trial for the final ſentence of the Nizamut Adawlut.

in ſeparate commitments, and may be convicted, at the ſame ſeſſion, of two or more offences, the preſcribed penalties of which, under the regulations in force, may exceed, in the aggregate, thirty-nine ſtripes with a corah, and impriſonment for fourteen years, but may not, for the crime eſtabliſhed againſt the priſoner on any one commitment, amount to death, or impriſonment for life, (in which caſe the trial would be referrible to the Nizamut Adawlut) the judge of circuit is authorized to reduce the preſcribed puniſhments for the whole of the offences of which the priſoner may be ſo convicted, at the ſame ſeſſion, ſo as not to exceed, in the aggregate, thirty-nine ſtripes with a corah, and impriſonment, in baniſhment from the diſtrict, for a term of fourteen years, provided, he ſhall be of opinion, on conſideration of the ſeveral acts of criminality eſtabliſhed againſt the priſoner, and the circumſtances of each caſe, that the puniſhment above ſpecified is ſufficient. If the judge of circuit however ſhould be of opinion, that the priſoner is deſerving of impriſonment for a longer period than fourteen years, he ſhall paſs ſentence, in the ſeveral caſes, for the puniſhment preſcribed by the regulations; (except that the number of ſtripes to be adjudged againſt a priſoner, at any one ſeſſion of a court of circuit, ſhall not exceed thirty-nine,) and ſhall tranſmit the proceedings on each caſe, with a report of the circumſtances, and his ſentiments on the puniſhment which ſhould be inflicted upon the priſoner, for the final ſentence or order of the court of Nizamut Adawlut.

The principle of the preceding clauſe, applicable to caſes wherein the priſoner convicted and puniſhed at a former ſeſſion, may be brought to trial and convicted at a ſubſequent ſeſſion of another offence committed anterior to the firſt ſentence;

but not to any new offence committed by the priſoner ſubſequent to his conviction of a former offence

Second. The principle of the above clauſe ſhall be alſo conſidered applicable to caſes, in which priſoners convicted and ſentenced at a preceding ſeſſion of a court of circuit, may be convicted, at a ſubſequent ſeſſion, of another offence committed before their firſt conviction and ſentence. But it is not meant to apply to any new offence committed by a perſon, after his conviction of a former offence, whether the period of confinement to which he may have been ſentenced for his former offence ſhall have expired at the time of his committing the ſubſequent offence or otherwiſe

Third. When a priſoner, committed or held to bail, for trial before a court of circuit, on two or more diſtinct charges, may be liable, on one or more convictions to a ſentence of impriſonment for fourteen years; and the further charge or charges againſt the priſoner may not be ſuch as would, on conviction, ſubject him to a ſentence of death or impriſonment for life, it ſhall not be requiſite for the judge of circuit to try ſuch additional charge or charges, unleſs there ſhall appear to be ſpecial and ſufficient cauſe for trying the ſame: Provided, that whenever a judge of circuit may exerciſe the diſcretion thus veſted in him, he ſhall report the ſame with his reaſons to the court of Nizamut Adawlut, in the ſtatement tranſmittible to that court, of ſentences paſſed by the court of circuit, or if the trial held upon the priſoner be on any account referrible to the Nizamut Adawlut, in the letter accompanying ſuch trial; and it ſhall be competent to the Nizamut Adawlut to order a further trial of the remaining charge or charges againſt the priſoner, in all caſes wherein that court may judge it proper ſo to direct.

If a priſoner be liable on one or more convictions before a court of circuit to a ſentence of 14 years impriſonment, the judge may diſpenſe with the trial of any other charges againſt the ſame priſoner, provided a conviction of ſuch additional charges would not ſubject the priſoner to a ſentence of death or perpetual impriſonment.

The judge of circuit to report all inſtances wherein he may exerciſe this diſcretion, to the Nizamut Adawlut,

Who are competent to direct, that the priſoner ſhall be brought to trial on the remaining charge or charges.

A. D. 1814. REGULATION XVI.

A REGULATION *for extending the proviſions of Regulation* XIII, 1813, *to the stations at which the magistrates reſide in the diviſions of Benares and Bareilly, with exception to the city of Benares:*—PASSED *by the Governor General in Council, on the* 23*d June* 1814, *correſponding with the* 10*th Assar* 1221 *Bengal era; the* 20*th Assar* 1221 *Fuſſily; the* 11*th Assar* 1221 *Willaity; the* 6*th Assar* 1871 *Sumbut; and the* 4*th Rajeeb* 1229 *Higeree.*

WHEREAS Regulation XIII, 1813, contains rules for the appointment and maintenance of chokeedars, in aid of the regular police, at the cities of Dacca, Moorſhedabad, and Patna; And whereas it is on every ground expedient and proper, that thoſe proviſions ſhould be extended to the ſeveral ſtations at which the magiſtrates ordinarily reſide in the diviſions of Benares, and Bareilly, with exception to the city of Benares, where a ſimilar plan has been already eſtabliſhed and is in force and activity; the following rules have been accordingly enacted by the Governor General in Council. Preamble.

II.

Regulation XIII, 1813, extended to the ſeveral ſtations at which the magiſtrates reſide in the diviſions of Benares and Bareilly, with exception to the city of Benares.

II. Regulation XIII, 1813, is hereby extended to the ſeveral ſtations, at which the magiſtrates ordinarily reſide in the diviſions of Benares and Bareilly, with exception to the city of Benares, from the 30th September next, being the commencement of the Fuſſily year 1222; and it is hereby declared, that the ſaid regulation ſhall extend to all and every perſon and perſons whomſoever, Britiſh ſubjects and others, reſident or being at the ſtations, in which the ſaid regulation ſhall be in force.

A. D. 1814. REGULATION XVII.

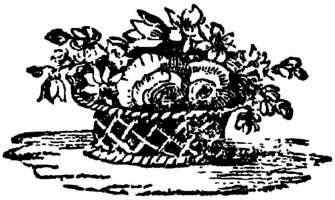
A REGULATION *for the recovery of arrears due from perſons manufacturing or ſelling ſpirituous liquors, taury, putchwye and intoxicating drugs.*—PASSED *by the Vice Preſident in Council on the 29th July 1814; correſponding with the 15th Sawun 1221 Bengal era; the 27th Sawun 1221 Fuſſily; the 16th Sawun 1221 Willaity; the 12th Sawun 1871 Sumbut; and the 11th Shabaan 1229 Hijeree.*

Preamble.

WHEREAS it is eſſential that the revenue authorities ſhould poſſeſs powers for the recovery of arrears due from perſons manufacturing or ſelling ſpirituous liquors, taury, putchwye and intoxicating drugs, without having recourſe to the courts of judicature, the following rule has been paſſed, to be in force from the period of its promulgation throughout the provinces immediately dependent on the preſidency of Fort William.

What proceſs to be applied in the recovery of arrears due from perſons manufacturing or ſelling ſpirituous liquors, &c.

II. In addition to the rules contained in Regulation X, 1813, it is hereby provided, that whenever an arrear may fall due from any perſon manufacturing or ſelling ſpirituous liquors, taury, putchwye, or intoxicating drugs, including opium, it ſhall be competent to the collector to enforce payment of ſuch arrear from the defaulter or his ſurety by the proceſs which is, or may be in force for the recovery of arrears of revenue due from farmers of land and their ſureties in the provinces ſubject to the ſuperintendence of the Board of Revenue and Board of Commiſſioners reſpectively.



A.D. 1814. REGULATION XVIII.

A REGULATION *for amending the rules before enacted relative to the demand of arrears of public revenue, and to the conduct of ſales of land for the recovery of the ſame.* —PASSED *by the Vice Preſident in council on the* 23d *August* 1814; *correſponding with the* 8th *Bhadoon* 1221 *Bengal era; the* 22d *Bhadoon* 1221 *Fuſſily; the* 9th *Bhadoon* 1221 *Willaity; the* 8th *Bhadoon* 1871 *Sumbut; and the* 6th *Ramzaan* 1229 *Hijeree.*

Preamble.

WHEREAS the existing rules for serving written notices of the demand of an arrear of revenue in all cases, make it necessary to levy from defaulters sums for the subsistence of the peons serving such notices, which with respect to the inferior landholders is frequently productive of great inconvenience and loss; and it being expedient to dispense with the previous sanction of the Governor General in Council for the sale of lands for the recovery of revenue; the following rules have been enacted, to be in force from the period of their promulgation throughout the territories immediately dependent on the Presidency of Fort William.

Modification of ſuch of the ex- iſting rules as re- late to the pro

II. In explanation and modification of Section III, Regulation XIV, 1793; Section VII, Regulation VI, 1795, and Sections III and ceſs of notice to defaulters, and to the previous ſanction of the Governor General in Council for the ſale of lands for the recovery of public revenue.

[illegible] of Estates

and VII, Regulation XXVII, 1803, and Clause Second, Section XXIII, Regulation VII, 1799, as far as relates to the process of notice, and Section XI, Regulation I, 1801, Section XIX, Regulation VI, 1795, and Clause Fourth, Section XIV, Regulation XXVI, and Section XIX, Regulation XXVII, 1803, as far as they relate to the previous sanction of the Governor General in Council for the sale of lands, it is hereby provided, that whenever any portion of an instalment of revenue payable in any month remains undischarged on the first of the following month, the collector may forthwith, or at any subsequent time (such arrear still remaining undischarged) cause to be served on the defaulter a written demand, as directed by the sections and regulations above cited; or without issuing or causing to be served such written demand, may advertise lands the property of the defaulter for public sale without first submitting a statement of these lands for the previous sanction of the Board of Revenue, or Board of Commissioners, supposing the lands so advertised to constitute an entire estate, or the whole of the defaulter's rights and interests in a joint estate, (in instances coming within the provisions of Sections IX, and X, Regulation V, 1810). But in such case the collector shall with all convenient expedition report the same to the Board of Revenue or Board of Commissioners, and shall await the receipt of the Board's sanction, and shall on no account proceed to the actual sale of lands so advertised without the express sanction of the Board, under whose authority he is placed; Provided that in all cases in which the lot proposed to be sold constitutes a part only of the defaulter's property in an estate, such lot shall not be advertised for sale, without a statement thereof, and of the jumma or revenue proposed to be apportioned thereon, being previously submitted to the Board of Revenue or Board of Commissioners, and the sale thereof sanctioned by the Board's authority.

Lands may be advertiſed for ſale by the collectors without making a previous reference to the Boards.

Estates or the [illegible] & interest [illegible] in a joint

But report to be made without delay to the Board of Revenue or Board of Commiſſioners.

III. In cases in which a joint undivided estate (under butwara) shall be advertised for sale, the rules at present in force appli-

What rules to be applicable in caſes in which a joint undivid-

cadable

cable to such cases, shall be duly observed, with exception to that which requires the previous sanction of the Governor General in Council, for such sale enjoined in Section XI, Regulation I, 1801.

ed eſtate ſhall be advertiſed for ſale. Exception.

The Boards how to proceed on receipt of the reports from the collectors of their having advertiſed lands for ſale belonging to defaulters;

IV. On receipt of the collector's report of his having advertised lands of a defaulter for public sale, or on receipt of any statement of lands proposed by him for sale, the Board of Revenue, or Board of Commissioners will proceed without previous reference to the Governor General in Council, whether the arrear to be recovered be due on account of the current year, or of any former year or years, to determine whether the sale shall take place, and if so, whether at the office of the collector, and on the day specified in the advertisement already published by him (if such publication have been made) or of the Secretary of the Board at a time to be notified; Provided however, that if any circumstance shall occur to create doubts as to the propriety either on the ground of political expediency, or of its tendency to endanger the peace of the country, the said Boards shall state the circumstances of the case with their opinion on the subject to the Governor General in Council for his consideration and orders.

And the Boards in what caſes to make a communication to the Governor General in Council for his orders.

The collectors how to act in caſes in which a poſtponement of a ſale of lands duly advertiſed, may be found neceſſary.

V. Should the Boards' sanction not be received in time to proceed to the sale on the day appointed, or should the absence or sickness of the collector, or other unavoidable cause, render necessary a postponement of a sale duly advertised, the collector will publish a notice of the day on which the postponed sale is to take place, and cause such notice to be affixed in some conspicuous place at his own office, and in the court room of the nearest Dewanny Adawlut, provided there be one within ten miles of the collector's cutcherry, and if not at the nearest moonsiff's cutcherry; and if such postponement exceed the limit of an adjournment from day to day, in the principal town or village, or other most conspicuous place in the lands to be sold.

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A. D. 1814. REGULATION XIX.

A REGULATION *for reducing to one regulation, with alterations and additions, certain regulations reſpecting the partition of estates paying revenue to government*—. Passed *by the Vice Preſident in Council, on the* 17*th September* 1814, *correſponding with the* 2*d Aſſin* 1221 *Bengal era; the* 18*th Bhaudon* 1221 *Fuſſily; the* 3*d Aſſin* 1221 *Willaity*; *the* 4*th Bhaudon* 1871 *Sumbut; and the* 2*d Shawul* 1229 *Higeree.*

Preamble.

WHEREAS difficulty has in many inſtances been experienced in providing fit perſons to undertake the partition of eſtates, paying revenue to government, from the inadequacy of the remuneration preſcribed in Regulation V, 1810, in ſome caſes, particularly in inſtances when meaſurement of the land becomes neceſſary; and whereas it has been deemed expedient to make proviſion for defraying the expenſe attendant on ſuch meaſurement, and for augmenting the remuneration to the aumeen appointed to make the partition, in caſes where the Board of Revenue or Board of Commiſſioners may conſider ſuch augmentation equitable, and whereas it will tend to the public convenience to reduce to one regulation, certain regulations at preſent in force, reſpecting the partition of eſtates paying revenue to government; the

the following rules have been enacted, to be in force from the period of their promulgation throughout the territories immediately dependent on the Preſidency of Fort William.

Regulations reſcinded.

II. Regulation XXV, 1793, Regulation XXVI, 1795, Sections XII and XIII, Regulation I, 1801, Section XXIX, and the remaining Sections of Regulation XXVI, 1803, Regulation VI, 1807, and Regulation V, 1810, are hereby reſcinded.

Diviſion of eſtates to be made by the collector.

III. The diviſion of every zemindarry, independent talook or other eſtate paying revenue immediately to government, which may be ordered to be divided into two or more diſtinct eſtates, and the apportioning of the fixed jumma of the whole of the eſtate on the ſeveral ſhares, are to be executed under the ſuperintendence of the collector of the diſtrict, in which the eſtate may be ſituated.

Proprietors of a joint eſtate entitled to have a diviſion of it at their own expenſe.

IV. *Firſt.* If all the proprietors of a joint undivided eſtate ſhall be deſirous to have their eſtate divided into two or more ſeparate eſtates, they are to make a written application for that purpoſe to the collector of the diſtrict, under their ſeals and ſignatures, and atteſted by four credible witneſſes, ſpecifying the ſhares which belong to them reſpectively, and whether they are deſirous of having ſeparate poſſeſſion of their reſpective ſhares, or whether any two or more of them propoſe to hold their ſhares as a joint eſtate. On receipt of the written application above noticed, the collector ſhall proceed to divide the eſtate into the number of ſhares requeſted, reporting the ſame to the Board of Revenue or Board of Commiſſioners, as the caſe may happen to be within the controul of the one or the other of thoſe Boards; all authorized expenſes incurred in making the diviſion, are to be borne by the proprietors, in the proportion which the jumma of their reſpective ſhares after the diviſion has been completed may bear to the jumma of the whole eſtate.

Second.

One, two, or more proprietors of a joint eſtate entitled to have their ſhares ſeparated but collectors not to proceed to a diviſion, ſhould any of the parties in poſſeſſion object to the right of the claimants to a ſeparation, until the claim ſhall be eſtabliſhed in a court of juſtice.

Second. If one, two or more of the proprietors of a joint eſtate held in common tenancy ſhall be deſirous to have ſeparate poſſeſſion of his or their reſpective ſhare or ſhares, or if two or more of them ſhall be deſirous to have their ſhares ſeparated and to hold them as a joint eſtate, they are to make a written application for that purpoſe to the collector under their ſeals and ſignatures, and atteſted by four credible witneſſes. The collector on receipt of the application ſhall publiſh an advertiſement, notifying the ſame to the parties concerned, and ſpecifying that he ſhall proceed to make the diviſion applied for in fifteen days from the date of the publication of the advertiſement, unleſs any perſon or perſons in poſſeſſion of the eſtate or any part thereof, ſhall before the expiration of that time, deny by a writing under his or their ſeals and ſignatures, and atteſted by two credible witneſſes, the right of ſuch claimant or claimants to the ſhare or ſhares ſo claimed by him or them, in which caſe the collector is not to proceed to the diviſion until the diſputed title be eſtabliſhed in a court of juſtice, or admitted by the party or parties ſo diſputing it by a writing to that effect under his or their ſeals and ſignatures, and atteſted by four credible witneſſes.

Collector how to proceed when no objection is made.

Third. In the event of no denial being offered to the claim for ſeparation in the form ſtated, and within the period limited in the foregoing clauſe, the collector ſhall proceed to make the diviſion applied for in the mode hereafter deſcribed, reporting the ſame for the information of the Board of Revenue or Board of Commiſſioners as the caſe may be, and all authorized expenſes incurred in making the diviſion are to be borne by the proprietors at large, in the proportions which the jumma of their reſpective ſhares after the diviſion has been completed, ſhall bear to the jumma of the whole eſtate. This laſt rule however is not to be underſtood to preclude the parties concerned from entering into a private adjuſtment among themſelves of the proportions in which ſuch expenſes ſhall be ſeverally borne by them, and whenever the whole amount demandable on that account ſhall be tendered to the collector by one, or more of the parties, he ſhall receive the ſame accordingly, and on the contrary if the amount be not ſo tendered, he is to enforce the rule as above laid down, and is to levy the amount (if it be not paid) by the ſame proceſs againſt the ſharer or ſharers failing in the payment of their proportions as is preſcribed for levying arrears of revenue.

The foregoing rule applicable to portions of eſtates, conſiſting of diſtinct mohauls.

Fourth. The whole of the proviſions of this ſection for the diviſion of eſtates held in common tenancy, are to be conſidered equally applicable to the ſeparation of portions of eſtates conſiſting of diſtinct mohauls.

Courts of juſtice to direct payment of the expenſes of diviſions in decrees awarding the proprietory right in diſputed caſes.

V. Whenever the courts of juſtice may paſs a decree awarding to any perſon the proprietory right in a portion of an eſtate paying revenue to government (whether fractional or conſiſting of ſpecific lands) and may iſſue a precept to the collector requiring him to divide the eſtate, and (provided it be not held khaſs, or let in farm by government) to put the parties in poſſeſſion of the ſhares, to which they may be entitled under the decree, they ſhall make it a general rule to direct at the ſame time that the party or parties who may have withheld the right ſo decreed, ſhall defray the whole of the expenſe which may be incurred in the ſubſequent proceſs of dividing, ſeparating, and giving poſſeſſion of, and apportioning the public revenue on the portion of the eſtate or lands ſo decreed. Provided however, that if any ſpecial reaſons ſhall appear for a deviation from this general rule, the courts ſhall be at liberty to direct the expenſe in queſtion to be defrayed by all, or any of the parties to the decree, in ſuch proportions as the court paſſing the decree may, from a conſideration of the particular circumſtances of the caſe, deem equitable. Copies of all orders which the courts may paſs under this ſection, are invariably to be tranſmitted to the collector for his guidance, together with the precept which the court may iſſue to him, requiring him to divide the eſtate, and to put the parties in poſſeſſion of the ſhares to which they may be entitled under the decree.

VI.

Two or more eſtates which originally formed part of the ſame zemindarry, &c. may be united and regiſtered as one eſtate.

VI. If two or more eſtates that may have originally formed ſpecific and aſcertained portions of the ſame zemindarry, talook, or chowdrai, ſhall come into the poſſeſſion of one perſon, or if one, two, or more perſons ſhall poſſeſs two or more ſhares of any ſuch eſtate, ſuch perſon or perſons ſhall be entitled to have ſuch ſhares united and to hold them as one eſtate. Application for the union of eſtates is to be made to the collector of the zillah in writing under the ſeal and ſignature of the proprietor or proprietors, and atteſted by two credible witneſſes, and the collector (provided he ſee no objection) ſhall comply with the application, and cauſe the neceſſary entries to be made in the records of his office, reporting the circumſtance to the board to which the caſe may appertain.

Each eſtate to be as compact as poſſible.

VII. When a diviſion of an eſtate ſhall be ordered to be made, each of the portions into which the property ſhall be directed to be divided ſhall be formed of entire, and (as far as the ſituation of the lands and other local circumſtances may admit) contiguous mehauls or villages, ſo that each eſtate may be as compact as poſſible. Provided that if the property ſo ordered to be divided, ſhall not conſiſt of a ſufficient number of villages to admit of one or more whole village or villages being included in each eſtate, the diviſion of the village or villages of which the property may conſiſt, is to be made ſo as to render each eſtate as compact as poſſible.

Public revenue to be aſſeſſed upon each eſtate agreeably to the rules herein preſcribed.

Rules for ſelecting the lands to be included in each eſtate.

VIII. The public revenue ſhall be aſſeſſed on each eſtate into which the property ſhall be ordered to be divided in conformity with the rules preſcribed in Regulation I, 1793, with reſpect to eſtates ſituated in the provinces of Bengal, Behar, and Oriſſa; Regulation XXVII, 1795, in the province of Benares; Regulation XXV, 1803, in the ceded provinces; Regulation IX, 1805, in the conquered provinces; and with Regulation XII, 1805, in the province of Cuttack; but in ſelecting the mehauls or villages to be included in each ſeparate eſtate, the advantages or diſadvantages ariſing from ſituation, the vicinity of roads or navigable rivers, the nature and quality of the ſoil and produce, the quantity of waſte lan d, the depth at which water may be procurable, the number of tanks, the ſtate of the embankments and water courſes, and every other local circumſtance affecting the preſent, or likely to influence the future value of the lands are to [illegible] duly conſidered, and the mehauls or villages to be included [illegible] each eſtate, fairly and impartially ſelected accordingly.

The dwelling houſe, &c. of one ſharer to be retained by him, although ſituated in the ſhare of another on payment of rent.

IX. If a dwelling houſe belonging to one ſharer, ſhall be ſi[illegible]ated in a mehaul or village, which may be included in the eſtate of another, the proprietor of ſuch houſe ſhall be at liberty to retain it with the offices, buildings, and ground immediately attached to it, upon paying to the proprietor of the mehaul or village an equitable rent for the ground, and the limits of the ground, and the rent to be paid for it ſhall be particularized in the paper of partition.

Rules with reſpect to tanks, embankments, &c.

X. Tanks, reſervoirs, water courſes, and embankments, ſhall be conſidered as attached to the land for the benefit of which they were originally made. In caſes in which from the extent, ſituation or conſtruction of works of this nature, it ſhall be found neceſſary to continue them the joint property of the proprietors of two or more of the eſtates, the paper of partition is to ſpecify as far as circumſtances may admit, the proportion of the benefit which each eſtate is entitled to de[illegible]herefrom, and of the expenſe of the repairs with whi[illegible] charged.

And places of religious worſhip.

XI. Places of worſhip that [illegible] ommon previous to the diviſion of a zem[illegible] hall be continued on the ſame footing, unleſs the pa[illegible] rwiſe agree amongſt themſelves, in which caſ[illegible] they [illegible] heir determination in writing to the aume[illegible] ſha[illegible] paper of partition.

Diviſions of an eſtate to be made by an aumeen to be appointed by the collector, and paid by a per centage on the jumma.

XII. When an eſtate ſhall be ordered to be divided, the collector ſhall appoint a creditable aumeen to make the diviſion, who ſhall receive a per centage (as hereafter ſpecified) on the amount of the jumma of the whole eſtate, as a remuneration for [illegible]trouble and the expenſe of eſtabliſhment.

Oath to be taken by the aumeens.

[illegible]II. *Firſt.* The collector is empowered and directed to [illegible]niſter the following oath to the aumeen previous to his pro[illegible]ng to make the diviſion :—

I A. B. appointed to make the diviſion of the eſtate of ———————— in the zillah of ————————, [illegible]emnly ſwear, that I will fairly and impartially, and as ex-“ peditiouſly as may be practicable, make the diviſion of the “ property, and apportion the public revenue upon each diſtinct “ eſtate into which it is directed to be divided, to the beſt of “ my knowledge and judgment, according to the regulations “ paſſed by the Governor General in Council ; that I will not “ directly or indirectly receive or allow any other perſon to receive any fee, preſent, or reward whatever, from any of the ſharers or any perſons on their behalf, on account of the diviſion or any matter connected therewith, that I will not derive any advantage or emolument from my appointment, excepting ſuch as may be expreſſly allowed to me, and be authorized by this regulation, and that I will deliver to the collector all ſuch papers “ and accounts as [illegible] into my poſſeſſion reſpecting the “ eſtate which I am [illegible] divide.”

Penalty for aumeens convicted of corruption in oppoſition to their oaths.

Second. If the aum[illegible] convicted before the magiſtrate of the zill[illegible] receiv[illegible]g any other perſon to receive directly o[illegible] or effe[illegible]r other property from the ſharers, [illegible] or perſons on their behalf, in oppoſition to his oat[illegible] ſentenced to pay a fine to government of [illegible]nt of the money or value of the property ſo re[illegible] any [illegible]ſon with his permiſſion, and to [illegible] months ; and all proſecutions before the magiſtrate under this clauſe ſhall be for a criminal miſdemeanour at the inſtance of the collector of the diſtrict, through the vakeel of government. It is however at the ſame time hereby further declared, that the aumeen ſhall be alſo liable to a ſuit for the ſame offence in the dewanny adawlut of the zillah, and ſhall on conviction be compelled to reſtore the money or property to the party from whom it may have been received with all coſts to the party proſecuting, and be impriſoned until he ſhall make good the decree or the amount of it ſhall be liquidated by the ſale of his property.

Documents with which the collector is to furniſh the aumeen.

XIV. The collector is to deliver to the aumeen a ſunnud of appointment under his official ſeal and ſignature, in which are to be ſpecified the name of the eſtate, the names of the different ſharers, their reſpective proportions, the number of ſeparate eſtates into which the property is to be divided, and the ſhares included in each eſtate, together with a copy of the regulations under which he is to make the diviſion, and of any entries in the official records which may relate to the property to be divided.

Rates of per centage to be allowed to the aumeen.

XV. *Firſt.* The per centage to be allowed the aumeen ſhall be calculated in the following gradations.

On a jumma not exceeding 500 rupees, 10 per cent.

On a jumma exceeding 500 rupees, but not exceeding 1,000 rupees, 10 per cent on 500, and 8 per cent on the remainder.

On a jumma exceeding 1,000 rupees, but not exceeding 2,500 rupees, on 1,000 as above, and [illegible] per cent on the remainder.

On a jumma exceeding 2,500 rupees, but not exceeding 5,000 rupees, on 2,500 rupees as above, and on the remainder 3 per cent.

On a jumma exceeding 5,000 rupees, but not exceeding 10,000 rupees, on 5,000 as above, and on the remainder 2 per cent.

On a jumma exceeding 10,000 rupees, but not exceeding 25,000 rupees, on 10,000 as above, and on the remainder 1 per cent.

On a jumma exceeding 25,000 rupees, but not exceeding 50,000 rupees, on 25,000 as above, and on the remainder 8 annas per cent.

On a jumma exceeding 50,000 rupees, but not exceeding one lack, on 50,000 as above, and on the remainder 4 annas per cent.

On a jumma exceeding one lack of rupees to whatever amount, on one lack as above, and on the remainder 2 annas per cent.

In the above calculations fractions of rupees are to be rejected.

Second. The percentage or commiſſion fixed under the foregoing ſection, ſhall be conſidered as a remuneration to the aumeen only and for ſuch eſtabliſhment as it may be neceſſary for him to entertain, but where a meaſurement of the lands may be neceſſary, the additional eſtabliſhment of ſubordinate aumeens and other officers which may be requiſite for the performance of this duty, ſhall be ſeparately paid by the ſeveral ſharers in proportion to their reſpective intereſts in the eſtate, by a monthly allowance, to be approved by the collector.

In caſes in which a meaſurement of lands may be neceſſary, the aumeen to be ſeparately paid for ſuch duty.

Third. The collector on delivering the ſunnud to the aumeen ſhall advance to him one-third of the above percentage, and the remaining two-thirds ſhall be ſubject to the following proviſions.

The collector to advance one third of the percentage to the aumeen.

Fourth. When the partition ſhall be in ſuch a ſtate of forwardneſs as to be conſidered to be half completed, as aſcertained from the admiſſion of the parties concerned or from any other ſources of information or documents with which the collector ſhall be ſatisfied, one-third more ſhall be advanced to the aumeen, and the remaining one-third ſhall be paid on the collector receiving notification that the partition has been confirmed.

Further advances to be iſſued according to the progreſs made in forming the partition.

Fifth. If the partition made by the aumeen be not confirmed, the Board of Revenue or the Board of Commiſſioners are reſpectively

What courſe to be obſerved when the partition may not be confirmed.

empowered to declare the claim of the aumeen to the remaining portion of the commiſſion to be forfeited or otherwiſe, as in their diſcretion on a conſideration of the circumſtances of the caſe, and the conduct of the aumeen they may deem proper.

Rules for proceeding in caſes when the partition may not be made within a preſcribed time.

Sixth. The collector ſhall on deputing the aumeen, fix such period as in his judgment will be ſufficient for the completion of the partition, but in the event of extenſion of time being neceſſary, it ſhall be competent to the collector to extend the period from time to time as the nature of the duty ſhall be found to require. Provided that if an aumeen ſhall not make due progreſs in, or ſhall unneceſſarily delay the completion of a partition, or ſhall be negligent, or be convicted of any miſconduct in the execution of his duty, the collector ſhall immediately ſuſpend the aumeen and report the circumſtance to the board, to which the caſe ſhall be ſubject, with an explanation of the cauſe of the delay; the board on receipt of the report will, if there appear ſufficient grounds, direct the aumeen to be removed from his truſt, and his claim to all arrear of commiſſion to be forfeited, and will make ſuch further arrangement for the completion of the duty, as the nature of the caſe may require.

How the aumeen is to be paid when the percentage may be conſidered an inadequate remuneration.

Seventh. In the event of a partition being protracted to ſuch a period, that the percentage to the aumeen may not be conſidered a ſufficient remuneration for his trouble and the payment of his eſtabliſhment, it ſhall be competent to the boards reſpectively, to allot to the aumeen the whole or part of any fine or fines which may be levied under this re[illegible]deration of the circumſtances of the caſe and the con[illegible]meen they may deem proper.

Rule for the appropriation of fines and percentage when the aumeen may be ſuperſeded.

Eighth. In the event of th[illegible] remov[illegible] tuation, and of another perſon b[illegible]o comp[illegible] it ſhall be competent to the boa[illegible]y to app[illegible] amount of ſuch fines as well as of [illegible] arrear o[illegible]

tag

tage of the firſt aumeen to the payment of the expenſes of the partition to be completed by the ſecond aumeen.

[illegible]XVI. Upon the arrival of the aumeen on the ſpot, he is to ſur[illegible]ſon the different parts of the property ſo as to enable him [illegible]ds to be included in each eſtate, in conformity to the [illegible]ections VII, VIII, IX, X, and XI.

Aumeen to ſurvey the different parts of the eſtate in perſon.

XVI[illegible] *[illegible]t.* The proprietors, or their local naibs or repreſentatives, are to furniſh the aumeen with the accounts of the groſs produce of each mehaul and village, and all other accounts or information requiſite to enable him to aſſeſs the public revenue on each of the eſtates into which the property is to be divided, in conformity to the rules preſcribed in the preſent regulation.

Proprietors to furniſh the aumeen with the neceſſary accounts to enable him to allot the jumma on the ſeveral ſhares.

[illegible]cond. The proprietors, or their local naibs or repreſentatives are [illegible]ear to the truth of the accounts before the aumeen, or if they [illegible]be of the deſcription of perſons whom the courts of judica[illegible]re empowered to exempt from taking oaths, the collector [illegible]uthorize the aumeen to receive from them a ſolemn declaration to the truth of the accounts. If the proprietors ſhall omit to furniſh the required accounts, the perſons withholding them ſhall be liable to ſuch dai[illegible] fine, until they produce them as the Board of Revenue or B[illegible]mmiſſioners reſpectively may judge it proper to impo[illegible]nſideration of the caſe, and their ſituation and circ[illegible] life, and the amount of the fine ſhall be levied by [illegible]by the ſame proceſs as is preſcribed for [illegible]e.

Proprietors, their local naibs or repreſentatives, to ſwear to the truth of the accounts; or if exempted from ſwearing, to ſubſcribe the uſual declaration.

Or on omitting to furniſh the required accounts, declared liable to fine.

Third. T[illegible]rs, or their local naibs or repreſentatives, are [illegible]putwarries and other zemindarry officers to [illegible]nts, and furniſh him with [illegible] for dividing the eſtate and [illegible]der the penalty of being fined in the ſame manne[illegible]g to produce their accounts. Put-

Such proprietors &c. to cauſe their putwarries, &c. to attend the aumeen under the penalty preſcribed in the preceding ſection.

Putwarries refuſing to deliver their accounts or ac-

warries

ing contrary to the preſcribed rules how to be proceeded againſt.

warries refuſing to deliver their accounts, or otherwiſe acting contrary to the rules contained in Section LXII, Regulation VIII, 1793, and the correſponding ſections in Regulations XXVII, 1795, and XXIX, of 1803, ſhall be proceeded againſt as therein directed.

Documents to be delivered to the collector by the aumeen when he has completed the diviſion.

XVIII. When the aumeen has completed the diviſion of the property and allotted the public revenue on each eſtate, he is to ſubmit to the collector the papers of the diviſion and allotment, which are to ſpecify the names of the mehauls or villages included in each ſeparate eſtate into which the property may have been divided, the groſs produce of each mehaul and village for the three years preceding the year in which the diviſion may be ordered to be made, and the proportion of the public jumma which he may have aſſeſſed thereon, with ſuch obſervations regarding the manner in which he may have ſelected the lands included in each eſtate, and the accounts from which he may have apportioned the public revenue of them, as may be neceſſary for the information of the collector, together with a detail of the adjuſtment which he may have made reſpecting the tanks, places of worſhip, or other matters ſpecified in Sections IX, X, and XI, of this Regulation.

Collector after examining the documents and hearing the objections of the parties to draw out a paper of partition.

What the paper is to contain.

XIX. *Firſt.* The collector ſhall examine the documents which may be delivered to him by the aumeen, and after receiving any objections or remarks which may be offered to him by the ſharers in perſon, or by their vakeels he ſhall draw out a paper of partition, ſpecifying the mehauls or villages included in the ſeveral eſtates into which the property may have been divided, the groſs produce of each mehaul or village, the allotment of the public jumma upon each, the name or names of the proprietor or proprietors of each eſtate, and, where an eſtate is to be held as the joint property of two or more perſons, their reſpective ſhares in the eſtate, together with the ſtipulations which may have been made reſpecting any of the matters mentioned in Sections IX, X, and XI, and tranſmit a copy of the paper to the Board of Revenue, or the Board of Commiſſioners, as the caſe may be, with ſuch obſervations as may be neceſſary to enable them to judge, whether the diviſion of the property, and the allotment of the jumma on each eſtate into which it may have been divided have been made agreeably to the regulations.

Second. Previouſly to forwarding the paper of partition as required by the preceding clauſe, the collector ſhall furniſh the ſharers with a copy of it. In the event of the whole of the ſharers, by a written declaration under their ſeals and ſignatures, and atteſted by four credible witneſſes, declaring their ſatisfaction with the partition ſtatement ſo communicated to them, or in the event of none of the ſharers offering any objection thereto, within fifteen days after they ſhall have reſpectively received the copies delivered to them, the collector, on receipt of the general declaration of ſatisfaction in the former caſe, or in the latter, on the expiration of the period above ſtated, ſhall proceed to put the parties in poſſeſſion of their reſpective ſhares, reporting the ſame to the Board of Revenue or Board of Commiſſioners, and ſubmitting to them a copy and tranſlation of the partition ſtatement and allotment of the aſſeſſment; but ſuch allotment of the aſſeſſment ſhall not be deemed concluſive until it ſhall have been confirmed by the Board of Revenue or Board of Commiſſioners, who are reſpectively authorized to make any alterations therein, which may appear to them neceſſary for the purpoſe of carrying into effect the proportionate rule of allotment preſcribed in the regulation cited in Section VIII. of this Regulation. The Board of Revenue and Board of Commiſſioners are ſeverally empowered to confirm, or make ſuch alterations in the diviſion of the property and the allotment of the public revenue on each eſtate, or other matters ſpecified in the paper of partition, as may appear to them proper, except in caſes of a reduction of the fixed aſſeſſment. The Board of Revenue and Board of Commiſſioners may order further enquiries to be made, before they paſs their determinations on the diviſion, in caſes in which it may appear to them neceſſary.

Collector how to act previouſly to forwarding the paper of partition to the Board of Revenue or Board of Commiſſioners.

In what caſes the ſharers are to be put in immediate poſſeſſion.

Allotment of the aſſeſſment to be confirmed by the Board of Revenue or Board of Commiſſioners.

Who may alter the ſame if neceſſary in purſuance of certain rules.

The boards alſo empowered to alter the diviſion of landed property.

Or if neceſſary may direct further enquiries, previous to determining on the caſe.

Third.

Rule in the event of ſharers objecting to the partition ſtatement.

Third. In the event of any objections to the partition ſtatement being offered by the ſharers or any one of them, within the period of fifteen days ſpecified in the preceding clauſe, the collector ſhall not put the parties in poſſeſſion, but ſhall tranſmit without delay, a copy and tranſlation of ſuch objections to the Board of Revenue or Board of Commiſſioners; together with a copy and tranſlation of the partition ſtatement, and [illegible] or ſuch part of the aumeen's report as may be app[illegible] points objected to, and ſuch further information as m[illegible]ſary to enable the board to form a ſatisfactory opinion [illegible] caſe.

Deciſion of the Board of Revenue and Board of Commiſſioners to be final, and the parties to be put in poſſeſſion by the collector who ſhall make the neceſſary entries in the records.

XX. *Firſt.* The determination of the Board of Revenue or Board of Commiſſioners on the paper of partition ſhall be final, and the collector on receiving notification thereof, ſhall put the parties in poſſeſſion of their reſpective eſtates, and immediately make the neceſſary entries in the records of his office after comparing the documents delivered by the aumeen with the former entries regarding the eſtate, and correcting or ſupplying any errors or omiſſions which may be diſcovered in thoſe entries.

No objection to the partition made by the collector to be received by the boards after fifteen days, unleſs good cauſe be aſſigned.

Second. No objections from the ſharers to the partition communicated to them by the collector in the firſt inſtance ſhall be received by the Board of Revenue or Board of Commiſſioners after the preſcribed period of fifteen days, without good cauſe for the delay being ſhewn to their ſatisfaction.

Boards may fine a defaulter for preferring groundleſs, vexatious or litigious objections.

Third. Whenever the objections to the collector's partition which may be preferred to the Board of Revenue or Board of Commiſſioners ſhall clearly appear to be groundleſs, vexatious and litigious, it ſhall be competent to the Board of Revenue or Board of Commiſſioners to impoſe ſuch fine upon the defaulter as may be deemed proper, on conſideration of the circumſtances of the parties and the nature of the caſe.

How ſuch fine ſhall be recovered.

Such fine ſhall be recovered by the ſame proceſs as is preſcribed for the recovery of arrears of revenue.

XXI.

Board of Revenue and Board of Commiſſioners, may impoſe a fine on every perſon withholding accounts or otherwiſe obſtructing the diviſion of an eſtate.

XXI. If any of the ſharers in a joint undivided eſtate ſhall by with-holding the requiſite accounts and papers, or by any other voluntary act, impede or oppoſe the diviſion of the eſtate, when the ſame may have been ordered and proceeded upon in the mode preſcribed by the regulations, the party or parties ſo offending ſhall on the report of the collector to the Board of Revenue, or Board of Commiſſioners as the caſe may be, be liable to such fine as the boards reſpectively, on conſideration of the circumſtances of the caſe, may judge proper to impoſe, and the fine ſo ordered ſhall alſo be levied in the mode preſcribed by the regulations for the recovery of arrears of revenue. It is hereby further explained, that whenever a daily fine may be impoſed under any part of this regulation for the purpoſe of cauſing the delivery of accounts or otherwiſe, and ſuch fine may be impoſed by the collector, the operation of ſuch daily fine (provided it be approved by the Board of Revenue or Board of Commiſſioners as the caſe may be) or of ſuch part thereof as may receive their approbation, ſhall commence from the date when the fine may have been firſt notified to the party on whom it is impoſed, unleſs in any caſe, it ſhould be otherwiſe ordered by the Board of Revenue or Board of Commiſſioners, or be otherwiſe provided by the original order of the collector.

Diviſions of eſtates may be made by the ſharers themſelves, or by arbitrators under the inſpection of the aumeen in certain caſes.

XXII. In the caſes ſpecified in Clauſes First and Second, Section IV, of this regulation, if all the proprietors of the eſtate to be divided ſhall agree to make the diviſion themſelves, and to allot the public jumma upon each eſtate and to adjuſt all other matters reſpecting the diviſion agreeably to the regulations, they ſhall preſent a petition to that effect under their ſeals and ſignatures, and atteſted by four creditable witneſſes, to the collector, who ſhall iſſue directions to the aumeen accordingly. But the proprietors ſhall produce the required accounts before the aumeen, and ſwear or ſubſcribe a ſolemn declaration to the truth of them, and the diviſion of the lands, and the apportioning of the jumma, and every ry other matter relating thereto, ſhall be ſettled in the preſence, and ſubject to the inſpection of the aumeen, who ſhall be reſponſible for the regulations being in every reſpect obſerved. In like manner, if all the proprietors of the eſtate which may be ordered to be divided in the caſes ſpecified in the foregoing clauſes and ſection, ſhall agree to refer the diviſion of the eſtate, and the apportioning of the public jumma and the adjuſtment of all other matters reſpecting the diviſion, to an arbitrator or arbitrators, they ſhall preſent a petition to that effect to the collector, atteſted by four credible witneſſes, and ſpecifying the name of the arbitrator or arbitrators whom they may chooſe, and where two or more arbitrators are choſen, the name of the umpire; upon the receipt of the petition, the collector ſhall direct the aumeen to cauſe the parties to execute arbitration bonds, the proprietors ſhall produce the neceſſary accounts before the arbitrators and ſwear, or ſubſcribe a ſolemn declaration to the truth of them, before the aumeen, and the diviſion of the lands, and the allotment of the jumma, and every other matter relating thereto ſhall be ſettled by the arbitrator or arbitrators, in the preſence and ſubject to the inſpection of the aumeen, who ſhall be reſponſible for his or their proceeding according to the regulations. When the ſharers, or the arbitrator or arbitrators in the caſes above ſpecified ſhall have adjuſted the diviſion of the property and the allotment of the public jumma on each eſtate, and all matters relating thereto, and the whole ſhall have undergone the reviſion of the aumeen, he ſhall ſubmit all the documents and papers ſpecified in Section XVIII, of this regulation to the collector, who upon the receipt of them, ſhall proceed in the ſame manner as if the diviſion had been made without the interference of the parties, or the arbitrator or arbitrators, and all the rules contained in this Regulation regarding diviſions made ſolely by the aumeen, ſhall be held applicable to diviſions made by the parties or arbitrators under this ſection.

How the aumeen employed in ſuperintending private

XXIII. All the rules preſcribed in this regulation which relate to the expences incurred in making a partition ſhall equally apply to the remuneration of the aumeen who may be appointed to ſuperintend partitions made by the parties themſelves or their arbitrators, under the proviſions contained in the preceding ſection; but with this difference, that the aumeen employed in ſuperintending ſuch private partitions; ſhall only be entitled to receive one half of the amount of remuneration which the aumeens employed in making public partitions are entitled to under Section XV. of this regulation.

partitions is to be remunerated.

Caſes in which the ſhares are to draw lots for the lands that are to form their reſpective eſtates after the diviſion is finally adjuſted.

XXIV. To remove, as far as may be poſſible, every inducement to fraud or partiality in the diviſion of landed property, it ſhall be a rule, that, where two or more of the eſtates ſhall conſiſt of the ſame proportions of the whole property divided, the parties entitled to them ſhall (excepting in the caſe ſubſequently ſpecified) draw lots for the diviſions, in the public cutcherry, before the collector, who ſhall be held reſponſible that in drawing the lots, no unfair means are practiſed. Agreeably to this rule, if any landed property ſhall be ordered to be divided into four eſtates, each conſiſting of a four annas ſhare or four-ſixteenths, or into three eſtates, one conſiſting of an eight annas ſhare or eight-ſixteenths, and the other two each of four annas or four-ſixteenths of the whole property, after the diviſion and allotment of the public revenue, and every other matter relating to the diviſion ſhall have been finally adjuſted, the proprietors of the four ſhares in the firſt caſe, and of the two four annas ſhares in the ſecond, ſhall draw lots for the diviſions, unleſs they ſhall ſettle amongſt themſelves which diviſion of the property each party is to receive, and preſent a petition to the collector under their reſpective ſeals and ſignatures; and atteſted by two credible witneſſes, ſpecifying the diviſions which each of them may have agreed to take, in which caſe, the collector ſhall put them in poſſeſſion of the diviſions which they may reſpectively ſelect.

Governor General in Council reſerves to him-

XXV. To guard againſt colluſion, or error in the diſtribution of the public jumma on landed property which may be ordered

to

ſelf the power of ordering a new allotment of the public jumma, ſhould it be proved to his ſatisfaction within ten years that the allotment was fraudulently or erroneouſly made;

to be divided into two or more diſtinct eſtates, it is declared, that if it ſhall be proved to the ſatisfaction of the Governor General in Council, within ten years after confirmation of the partition as preſcribed in Section III, Regulation X, 1811, that the jumma was fraudulently or erroneouſly apportioned at the time of the diviſion, he reſerves to himſelf the power of [illegible] new allotment of the jumma upon the ſeveral eſta[illegible] it may have been divided conformably to the princip[illegible] in the regulations cited in Section VIII of this regu[illegible]mate of the groſs produce of each eſtate at the time [illegible] to be made agreeably to the beſt evidence and info[illegible]ch may be procurable reſpecting it, and further, of [illegible]ering the parties, whoſe eſtates may appear to have been under-aſſeſſed, to pay the ſharers upon whoſe eſtates the aſſeſſment may have been exceſſive, the ſum of which they may be found to have been defrauded by the over-aſſeſſment, and in the event of their omitting to diſcharge the amount to cauſe it to be levied by the collector by the proceſs preſcribed for the recovery of arrears of revenue.

And to order the parties whoſe eſtates may have been over aſſeſſed to be indemnified by the ſharers, whoſe eſtates may have been under-aſſeſſed.

Parties not attending in perſon to appoint vakeels with full powers to act for them.

XXVI. If any of the ſharers in landed property ordered to be divided, from indiſpoſition or other cauſe, ſhall be unable or ſhall not chooſe to attend the collector or the aumeen in perſon, in the caſes required, they ſhall depute a vakeel duly appointed with powers to perform all [illegible]hey themſelves are authorized or required to perfo[illegible]s regulation, until the diviſion of the property ſhall b[illegible]ſted.

Board of Revenue and Board of Commiſſioners to take care that the rights of females and other diſqualified landholders are duly attended to in diviſions.

XXVII. If all the ſharer[illegible]roperty ordered to be divided ſhall be females, not deemed competent to the management of their own eſtates, or minors, or perſons otherwiſe diſqualified for the charge of their own lands, the collector ſhall report the ſame to the Board of Revenue or Board of Commiſſioners, who are enjoined to be careful, that the rights of ſuch proprietors are duly attended to in the diviſion. In inſtances where more

proprietors

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proprietors than one poſſeſs an undivided eſtate; and part of ſuch proprietors ſhall come under any of the deſcriptions of diſqualified landholders above mentioned, having guardians, ſuch guardians ſhall vote and act for them, in all matters relating to the diviſion of their lands under this regulation.

XXVII[illegible]perty for the payment of the public revenue, affeſſ[illegible] engagements have been or may be concluded with t[illegible] and which may be ordered to be divided under th[illegible]hall remain under charge of the manager appointed [illegible]tors of joint undivided eſtates; and the whole of it ſh[illegible]nſwerable for the payment of the public revenue aſſe[illegible] upon it (except in the caſes hereafter ſpecified) until the diviſion ſhall have been finally adjuſted and ratified, and the proprietors put into poſſeſſion of the diſtinct eſtates into which it may be ordered to be divided.

Joint landed property to be held reſponſible for the payment of the public revenue, until the parties are put in poſſeſſion of their diſtinct ſhares.

XXIX. In caſes where the landed property to be divided is held khaus, or let in farm by government, the partition in as much as regards the allotment of the lands, ſhall be made agreeably to the rules preſcribed in this regulation, as far as they may be applicable to lands ſo circumſtanced, and the farmer, or the [illegible] collector of the revenue on the part of government, ſhall [illegible] all the accounts and papers which he may poſſeſs reſ[illegible] the lands, upon receiving a requiſition to that effect from [illegible]meen; ſuch property when divided will be ſubject to the rules contained in the regulations cited in Section VIII, of this regulation.

Rules reſpecting the diviſion of landed property let in farm or held khaus by government.

XXX. In order to obviate doubts reſpecting the deſcriptions of joint eſtates to which the ſeveral proviſions contained in this regulation are meant to be applied, it is hereby explained, that the whole of the ſaid proviſions are applicable to joint eſtates held in common tenancy, viz. where all the ſharers have a common right and intereſt in the whole of the eſtate, without any ſeparate title

All the proviſions of this regulation explained to be applicable to joint eſtates held in common tenancy.

to diſtinct lands or mehauls, forming part of the eſtate held under one general aſſeſſment. Many of theſe proviſions, however, ſuch as thoſe which direct a compact diviſion of the lands, the ſelection of lands of equal value for the ſeveral ſharers, and other circumſtances relative to an equal partition of the eſtate, have evidently an excluſive reference to the diviſion of landed property between tenants in common, or copartners with equal rights in every part of the eſtate, and cannot be applied to portions of eſtates, conſiſting of ſpecific mehauls or lands held by purchaſe, or otherwiſe from the former proprietor and ſeparable from his eſtate under the regulations, ſubject to a proportionate allotment of the public aſſeſſment comformably to the rules preſcribed in the regulations cited in Section VIII of this regulation, but remaining annexed to the original eſtate, until the diſtinct aſſeſſment of the ſeparable portion ſhall have been adjuſted, and ſeparately engaged for. In ſuch caſes, the proviſions in this regulation, which reſpect the adjuſtment of the aſſeſſment, the accounts to be delivered and examined for this purpoſe, the reſponſibility of the whole original eſtate until a diſtribution of the aſſeſſment ſhall have been finally determined and ratified, and the power which the Governor General in Council reſerves to himſelf of ordering a new allotment of the aſſeſſment in the event of its being preved to his ſatisfaction within ten years, that the allotment made was fraudulent or erroneous, are alone to be conſidered applicable with the further proviſions contained in the preſent regulation. But all new allotments of the aſſeſſments in the caſes here referred to, as in all other caſes whatever, ſhall be reported for the ſanction of the Board of Revenue or Board of Commiſſioners, and ſhall not be deemed concluſive or valid until confirmed by thoſe boards, or in the event of any reduction of the fixed aſſeſſment until approved by the Governor General in Council.

The proviſions in this regulation reſpecting the adjuſtment of the aſſeſſment declared applicable to the caſe of a ſpecific mehaul being ſold or transferred.

No new allotments to be valid until confirmed by the Board of Revenue or Board of Commiſſioners, or in caſe of a reduction of jumma by the Governor General in Council.

A regiſter of all confirmed partitions to be kept.

XXXI. After the date of this regulation, a regiſter according to the annexed form ſhall be kept in the Engliſh language of all confirmed partitions. This regiſter ſhall merely ſhew the name, the recorded proprietor or proprietors, and the jumma of the eſtate as it ſtood when the partition was commenced, with the names, the recorded proprietors, and the jumma of the ſeveral portions thereof made into diſtinct eſtates by the partition when confirmed, together with the date of the confirmation, and whenever any ſuch diſtinct eſtate (created by partition) ſhall fall in balance, ſo as to require a ſale of the land for the diſcharge of the arrear, at any period within ten years of the date of the confirmation of ſuch partition, it ſhall be the duty of the collector, by every means in his power, to trace the cauſe of ſuch balance towards aſcertaining whether it has ariſen from any fraudulent or erroneous allotment of the aſſeſſment, at the time of the diviſion, and whatever may appear to be the cauſe, to make a ſpecial and full report upon the caſe to the board, to whoſe authority he may be ſubject, and who will determine upon the receipt of ſuch report whether the ſanction of the Governor General in Council, ſhall be obtained, for directing a new allotment of the jumma upon the ſeveral portions into which the original eſtate was divided, or otherwiſe.

Collector to report in caſes requiring a ſale of lands for balances ariſing from an improper allotment of the jumma within ten years.

Rules for diſcouraging all artificial delays from impediments thrown in the way by parties.

XXXII. With the view of diſcouraging all artificial delays in giving poſſeſſion of their proper ſhares to ſharers entitled to ſeparation in joint eſtates, held in common tenancy, it is hereby enacted, that whenever it ſhall appear to the Board of Revenue or Board of Commiſſioners, that a partition duly proceeded upon, is not or cannot be completed within the period originally fixed in the ſunnud to the aumeen, by reaſon of any impediments thrown in the way of its completion by the party or parties holding poſſeſſion of the eſtate, it ſhall be competent for thoſe boards reſpectively, upon an application being preferred to them to that effect by the ſharer who is out of poſſeſſion (either through the collector or directly to the board) to direct immediate poſſeſſion to be given to ſuch ſharer of a certain quantity of the lands of the eſtate, the aſſets of which ſhall be juſt ſufficient (as far as the ſame can be aſcertained) to produce the amount of the jumma payable by ſuch ſharer when ſeparated (and which in all caſes of fractional ſhares, is of courſe known) with an advance of from fifteen to twenty per cent (viz. ten per cent for malikana, and not leſs than five, [illegible] more than ten per cent for charges of collection) and no more. [illegible] poſſeſſion is not however to be conſidered as a final allotment, but the [illegible] tion is ſtill to proceed in the regular manner with the [illegible] adjuſtment of any inequalities of proportion [illegible] the lands thus delivered to the poſſeſſi[illegible] ultimately found to bear to the aſſets o[illegible] well as the adjuſtment of all other points affecti[illegible] ue of the ſeveral ſhares when divided, ſo that on the completion of the partition the final allotment of land to the [illegible] parties ſeparated according to the jumma payable by them [illegible] in every reſpect be conformable to the rules preſcribed in Sections VII and VIII, of this regulation.

Rules reſpecting balances accruing during the partition of a joint eſtate.

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XXXIII. Whenever the partition of a joint eſtate held in common tenancy ſhall have been commenced, or ordered to be ma[illegible] whether on the direct application of the parties to the collector, [illegible] under a precept from a court of juſtice, if the eſtate ſhould fall in balance at any time before the partition [illegible] completed and confirmed, it ſhall be in the option of any one [illegible] of the ſharers (whether in actual poſſeſſion of their ſhares or otherwiſe) to [illegible] the collector his or their proportions of the balance due, [illegible] collector ſhall receive, and paſs to the credit of his or th[illegible] accordingly, and in the event of a ſale of any part of the eſtate (yet undivided) becoming ultimately neceſſary for the liquidation of any remaining balance, the portion or portions of the defaulting ſharer or ſharers only ſhall be ſold, and not thoſe of the ſharers who ſhall have paid their proportions of the balances, and in all ſu[illegible] caſes, the partition ſhall go on and be completed for the benefi[illegible] the purchaſer at the public ſale; and who on making the purchaſe, will be entitled to ſeparate poſſeſſion of the portion or portions of the eſtate which would have been allotted under the partition, to the defaulting proprietors, (and which in all ſuch inſtances are to be ſold entire,) and will in every reſpect ſucceed to all their rights.

Rules for preventing delays in allotting the jumma of ſpecific mehauls forming part of an eſtate.

XXXIV. *Firſt.* To provide alſo, as far as practicable againſt any injurious conſequences to individuals from delays and difficulties w[illegible]rved to attend the allotment of the public revenue u[illegible] mehauls, forming part of an eſtate held under a [illegible], when ordered to be ſeparated therefrom, the fol[illegible] be obſerved in regard to ſuch mehauls.

Rules as to balances accruing before the allotment is completed.

Secon[illegible] the proprietor of a ſpecific mehaul in a joint eſtate [illegible] to ſeparation under the regulations, and the ſeparation [illegible] of the public revenue upon ſuch diſtinct mehaul ſha[illegible]mmenced upon, or ordered to be commenced upon, [illegible]ate of which it forms a component part ſhould fall in balance at any time previous to the completion and confirmation of ſuch allotment, ſo as to require a ſale of the whole or any portion of the eſtate, it ſhall be in the option of the proprietor of the mehaul in queſtion (and to whom immediate poſſeſſion thereof is to be given, if it be not already in his poſſeſſion) to tender to the collector his ſhare of the balance due, calculated on the proportion which the produce of ſuch ſpecific mehaul with a deduction of from fifteen to twenty per cent (viz. ten per cent for malikana, and not leſs th[illegible]ive, or more than ten per cent for charges of collection) may [illegible] to the jumma of the whole eſtate. [illegible]uch tender being made and the collector being ſatiſ[illegible]m the enquiries made by him, and the evidence [illegible] documents before him, that the produce of the mehaul has not been under-rated, he ſhall receive the amount tendered, and paſs it to the credit of the mehaul accordingly, and in the event of a ſale of any part of the eſtate becoming ultimately neceſſary for the liquidation of any remaining balance, ſuch ſale ſhall be made with the expreſſed exception of the ſpecific mehaul in queſtion, and the ſeparation and final allotment of the jumma thereupon, ſhall go on and be completed in the preſcribed manner, for the benefit of all the parties concerned therein. Provided moreover, that if the payment made by the proprietor of the ſpecific mehaul under this clauſe, ſhall on a final adjuſtment of the jumma, of the parties, be found to exceed the true proportion of the balance demandable from him, ſuch proprietor ſhall be entitled to repayment of the exceſs from the collector; who ſhall at the ſame time proceed to recover the amount thereof from the defaulting proprietor or proprietors (upon whom a leſs amount than their juſt proportions will have been levied) by the ſame proceſs as he would recover any other arrear of revenue; or if it ſhall on the contrary appear that the proprietor of the ſpecific mehaul has paid leſs than he ought to have paid, the deficiency ſhall be recovered from him, and any exceſs which may have been levied from the defaulting proprietor or proprietors, ſhall be made good to them.

Board of Revenue and Board of Commiſſioners to be guided by any ſpecial orders they may receive from the Governor General in Council. To whom they are to apply in all caſes unprovided for by the regulations.

XXXV. In the execution of the duties veſted in the Board of Revenue and Board of Commiſſioners by this Regulation, as in all other caſes, they ſhall be guided by whatever ſpecial orders or inſtructions they may at any time receive from the Governor General in Council, to whom they ſhall apply in all caſes, which they may conſider unprovided for by the regulations.

FORM

FORM.

REGISTER of BUTWARRAS confirmed, to be kept in the Engliſh and Native languages in the Collector's Office, and in the Offices of the Board of Revenue and Board of Commiſsioners, as required by Section XXXI, of this Regulation:

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
Name of the Estate.	Proprietor or Proprietors.	Number of Pergunnahs.	Number of Villages.	Quantity of Land.	Jumma of the entire Estate.	Fraction-al Portion.	Proprietor or Proprietors.	Number of Pergunnahs.	Number of Villages.	Quantity of Land.	Jumma of each Portion.	Date of confirma-tion.

A. D. 1814. REGULATION XX.

A REGULATION *for reſcinding the Regulations in force, relative to the College of Fort William.*—PASSED *by the Vice Preſident in Council, on the 27th September* 1814; *correſponding with the 12th Aſſin* 1221 *Bengal era; the 28th Bhadoon* 1221 *Fuſſily; the 13th Aſſin* 1222 *Willaity; the 13th Bhadoon* 1871 *Sumbut; the 12th Shawul* 1229 *Higeree.*

Preamble.

WHEREAS the original rules for the foundation of a College at Fort William in Bengal, which were enacted in Regulation IX, 1800, have been modified by the rules ſubſequently enacted in Regulations IV, 1801, and III, 1807; and whereas further modifications, or additional rules may, from time to time become neceſſary; and all ſuch rules can moſt conveniently be included in the ſtatutes of the College; which, as well as the regulations, are enacted by the Governor General in Council; and it is conſequently unneceſſary to enact diſtinct regulations for the College, or to continue thoſe now in force; the following regulation is therefore paſſed, to be in force as ſoon as promulgated.

Regulations IX, 1800, IV, 1801, and III, 1807, reſcinded.

II. Such parts of Regulation IX, 1800, as are now in force, together with the whole of Regulations IV, 1801, and III, 1807, are hereby reſcinded.

Statutes of the College of Fort William to contain all rules eſtabliſhed for the College.

III. The ſtatutes of the College of Fort William to be enacted by the Governor General in Council, ſhall contain whatever rules it may appear proper to eſtabliſh for the admiſſion of Students; for the government and diſcipline of the College; and generally for the regulation of all matters appertaining to or connected with the College.

A. D. 1814. REGULATION XXI.

A REGULATION *for preventing the zillah and city judges and collectors of the public revenue from employing their native creditors on their reſpective Eſtabliſhments*:—Passed *by the Vice Preſident in Council, on the 4th October 1814; correſponding with the 19th Aſſin 1221 Bengal era; the 5th Aſſin 1222 Fuſſily; the 20th Aſſin 1222 Willaity; the 5th Aſſin 1871 Sumbut; and the 19th Shawul 1229 Higeree.*

WHEREAS public inconvenience has been in ſome inſtances experienced from perſons, inveſted with important and reſponſible offices, employing on their eſtabliſhments, natives being their private creditors; and whereas it is eſſential to diſcourage the practice among the junior part of the ſervice of contracting debts, which not only prove a ſource of great perſonal embarraſſments to the [illegible] individuals, but are likewiſe entirely incompatible with that independence and freedom of action, which it is eſſential on public grounds, that perſons ſucceeding to reſponſible offices ſhould enjoy; the following rules have been enacted, Preamble.

to be immediately in force throughout the provinces immediately dependant on the preſidency of Fort William.

The zillah and city judges, and collectors of the public revenue and others, prohibited from employing on their eſtabliſhment any natives being their private creditors.

Duty of the Boards and provincial courts in this caſe.

II. From and after the promulgation of this regulation, no perſon, being a creditor of any zillah or city judge or magiſtrate, of any collector of the land revenue or cuſtoms, or of any agent for the proviſion of ſalt or opium, ſhall be appointed to any official ſituation on the eſtabliſhment of the perſon whoſe creditor he may be. It ſhall conſequently be the duty of the Boards of Revenue and Trade, of the Board of Commiſſioners, and of the courts of appeal and circuit, on receiving the reports preſcribed by the proviſions of Regulation VIII, 1809, to ſatisfy themſelves fully that the natives, recommended to fill any vacancies on the eſtabliſhment of the European officers acting under their control reſpectively, are not the creditors of the latter. With this view, it will be the duty of the ſaid Boards and courts to make full enquiries on the ſubject, not only from the officers from whom ſuch reports may be received, but through ſuch other channels as may be neceſſary to guard againſt any infringement or evaſion of the proviſions of the preſent regulation.

The foregoing rules to be equally applicable to the relatives and dependants of ſuch native creditors.

III. The rules contained in the preceding ſection for precluding the creditors of the public officers abovementioned from being employed on their public eſtabliſhments, ſhall be conſidered equally applicable to the relatives and dependants of ſuch creditors: the former as well as the latter, ſhall conſequently be equally precluded from being employed on the eſtabliſhments of any of the public officers above deſcribed.

The preſent Regulation not applicable to the commercial reſidents and agents.

IV. In order to prevent miſconſtruction, it is hereby explained, that the foregoing proviſions are not intended to apply to the commercial reſidents and commercial agents.

A.D. 1814. REGULATION XXII.

A REGULATION *for declaring the manufacture of Salt in the province of Cuttack, a monopoly on the part of Government, and for providing more effectually againſt the illicit manufacture, importation, tranſportation and ſale of Salt therein.*—PASSED *by the Vice Preſident in Council, on the 4th November* 1814; *correſponding with the 20th Caurtick* 1221 *Bengal era; the 7th Caurtick* 1222 *Fuſſily; the 21ſt Caurtick* 1222 *Willaity; the 7th Caurtick* 1871 *Sumbut; and the 21st Zekaad* 1229 *Higeree.*

Preamble.

WHEREAS the reſolution of government to reſerve to itſelf the excluſive privilege of manufacturing ſalt, in the province of Cuttack, as a ſource of public revenue, was notified to the inhabitants of that province by certain rules and reſolutions paſſed by the Governor General in Council ſoon after the acquiſition of that diſtrict, for the management of the ſalt department in the northern diviſion of Cuttack, compriſing the tract of country ſituated between the Soobornecka and Mohanuddy rivers, bearing date the 4th May 1804; and whereas ſuch monopoly has been and ſtill is in full force and effect. The Vice Preſident in Council has been pleaſed to paſs the following rules for the future conduct of the manufacture of ſalt, excluſively on account of government, throughout the whole of the zillah of Cuttack, to be in force from the period of the promulgation of this regulation.

Certain regulations reſpecting ſalt extended to Cuttack.

II. Regulations XXIX, of 1793; LII, of 1795; IV, of 1798; IV, of 1800; XII, of 1801; XLVIII, of 1803; and IX, of 1806; are hereby extended to the zillah of Cuttack.

Regulation VI, of 1801, alſo extended to Cuttack with modification.

Firſt. Regulation VI, of 1801, is alſo hereby extended to the zillah of Cuttack, with the following modification.

Rewards payable on confiſcated ſalt, how to be calculated.

Second. Rewards payable on confiſcated ſalt in the province of Cuttack under Clauſe Fourth, Section XI, and Sections XIII, XIV, XV, and XIX, ſhall be calculated on the ſelling price at which government ſalt of the ſame deſcription may be diſpoſed of to merchants and individuals in that province, whether the ſalt be diſpoſed of by public auction, or a ready money ſale.

Exportation of ſalt by land to any diſtrict, ſtrictly prohibited.

III. The exportation of ſalt by land from the province of Cuttack to the Midnapore or any other diſtrict, ſubject to the control of the Bengal government, is hereby ſtrictly prohibited; and all ſalt exported from the province of Cuttack, in diſobedience to this prohibition, ſhall be liable to confiſcation, together with the boats, cattle, and carriages which may be uſed in the tranſportation, on which the ſame may be laden. Provided however, that nothing herein contained ſhall be conſtrued to prevent the tranſportation of ſalt to all, or any of the places ordinarily called the tributary mehauls, dependent on the zillah of Cuttack.

Exception of exportation to the tributary mehauls.

Exportation of ſalt by ſea, except on account of government, ſtrictly prohibited.

IV. The exportation of ſalt by ſea from the province of Cuttack, except on account of government, is hereby ſtrictly prohibited; and any ſalt attempted to be exported in diſobedience to this prohibition, ſhall be liable to confiſcation, together with the boat, doney, or other veſſel on which the ſame may be laden.

A. D. 1814. REGULATION XXIII.

A REGULATION *for reducing into one regulation, with amendments and modifications, the ſeveral rules which have been paſſed regarding the office of moonſiffs or native commiſſioners, and of ſudder aumeens or head commiſſioners, for modifying and extending their reſpective powers in the trial and deciſion of civil ſuits, and for authorizing them to diſcharge certain additional duties under the direction of the zillah and city judges.*—PASSED *by the Vice Preſident in Council, on the* 29*th of November* 1814*; correſponding with the* 15*th Aughun* 1221 *Bengal era; the* 2*d Aughun* 1222 *Fuſſily; the* 16*th Aughun* 1222 *Willaity; the* 2*d Aughun* 1871 *Sumbut; and the* 16*th Zeheija* 1229 *Higeree.*

WHEREAS rules have from time to time been enacted for conſtituting the office of moonſiffs or native commiſſioners, and of ſudder aumeens or head commiſſioners for the trial and deciſion of cauſes of a certain amount or value: and whereas Preamble.

thoſe rules have appeared in ſome inſtances to require reviſion: and whereas it is expedient with the view of expediting the trial and deciſion of civil ſuits, to extend the juriſdiction of the ſaid moonſiffs and ſudder aumeens, and to authorize the judges of the zillah and city courts to employ them in the execution of certain additional duties: and whereas it will contribute to the public convenience to transfer to the provincial courts the control now exerciſed by the Sudder Dewanny Adawlut in the appointment and removal of moonſiffs and ſudder aumeens, and to reduce into one regulation the whole of the proviſions which will be applicable to the office of moonſiffs and of ſudder aumeens, the following rules have been paſſed [redacted], to be in force from the 1ſt of February 1815, throughout the territories immediately dependent on the preſidency of Fort William.

Regulations reſcinded.

II. Regulation XL, 1793, Regulation XXXI, 1795, Section V, Regulation XXXVI, 1795, Section VIII, Regulation XXXVIII, 1795, Clauſes Firſt, Second and Third, of Section III, Regulation VI, 1797, Regulation XVIII, 1797, Section XX, Regulation VII, 1800, Regulation XVI, 1803, Section III, Regulation XLIII, 1803, Sections IX to XIX, incluſive, of Regulation XLIX, 1803, ſuch part of Section XIX, Regulation V, 1804, as refers to native commiſſioners, Section IX, Regulation II, 1806, Section VIII, Regulation VIII, 1809, Sections IX and X, Regulation XIII, 1810, ſuch parts of Clauſes Firſt and Second, of Section XI, Regulation XIII, 1810, as are applicable to moonſiffs, and to ſudder aumeens, are hereby reſcinded.

Commiſſions granted to natives as referees and arbitrators to be cancelled.

III. *Firſt.* On the receipt of this regulation, the zillah and city judges ſhall recal and cancel all commiſſions which may have been granted to natives, authorizing them in the capacity of referees and arbitrators only, and not in that of moonſiffs, to hear and determine ſuits for ſums of money, or perſonal property not exceeding fifty ſicca rupees in value or amount, and thoſe offices ſhall be aboliſhed.

Second. Any ſuits, which may be depending before them in their capacity of referees ſhall be transferred at the diſcretion of the judge to any of the moonſiffs or ſudder aumeens, and the ſame fee as would have been payable to the original referee, ſhall on the deciſion of the ſuit be paid to the moonſiff or ſudder aumeen, to whom it may be transferred.

Suits depending before them in their capacity of referees to be transferred to the moonſiffs or ſudder aumeens, who will be entitled to the ſame fee on the deciſion of ſuch ſuits as would have been payable to the original referee.

Third. Any ſuits which may be depending before them in their capacity of arbitrators, ſhall be decided by them under the general rules preſcribed in Regulation XVI, 1793, Regulation XV, 1795, Regulation XXI, 1803, and Regulation VI, 1813.

Suits depending before them as arbitrators how to be decided.

IV. In caſes, in which the office of referee and arbitrator is united with that of moonſiff, ſuch moonſiff is authorized to hear and determine all cauſes now depending before him whether in his capacity of moonſiff, referee or arbitrator, but no additional ſuits ſhall be referred to him by the judge except in zillah Chittagong, under Sections LVII, LVIII and LIX, of this regulation, nor ſhall he be authorized to admit new caſes for arbitration except under the general rules for arbitration preſcribed in Regulation XVI, 1793, Regulation XV, 1795, Regulation XXI, 1803, and Regulation VI, 1813.

But natives veſted with the powers of moonſiffs may determine all ſuits depending before them whether as moonſiff, referee or arbitrator.
No additional ſuits to be referred except in zillah Chittagong.
Under what rules cauſes may in future be received by moonſiffs for arbitration.

V. Until new ſunnuds can be prepared and the arrangements preſcribed in the following ſection can be carried into effect, the perſons who now hold the office of moonſiff ſhall be authorized under the ſunnuds heretofore granted to them, to exerciſe the full powers conferred on moonſiffs by this regulation.

Until new ſunnuds can be prepared moonſiffs may exerciſe the full powers conferred on them by this regulation, under their former ſunnuds.

VI. *Firſt.* The judges of the ſeveral zillahs and cities ſhall on the receipt of this regulation prepare and ſubmit to the provincial court a new eſtabliſhment of moonſiffs, whoſe local juriſdictions ſhall be ſo arranged as to correſpond exactly with thoſe of the thannas or local police juriſdictions. They ſhall at the ſame time report to the provincial court the name of the town or village in

New eſtabliſhment of moonſiffs whoſe local juriſdictions are to correſpond with thoſe of the thannas, to be ſubmitted to the provincial courts by the zillah and city judge.

And places to be fixed upon for the eſtabliſhment of their cutcherries.

each juriſdiction, which may be moſt centrical, or otherwiſe moſt conveniently adapted for the eſtabliſhment of each moonſiff's cutcherry.

Juriſdictions of moonſiffs to have the ſame local denomination as the correſponding police juriſdictions.

Second. The juriſdiction of the moonſiffs ſhall have the ſame local denomination as that of the correſponding police juriſdiction.

Meaſures to be adopted by zillah and city judges when the number of moonſiffs now employed ſhall be greater or ſmaller than that of the police juriſdictions.

Third. If the number of perſons now holding the office of moonſiff in any zillah or city ſhould exceed that of the police juriſdictions, the judge ſhall ſelect from them thoſe individuals, of whoſe capacity and integrity he entertains the moſt favorable opinion. But if the number of moonſiffs ſhould be leſs than that of the police juriſdictions, the judge ſhall ſelect ſuch an additional number of perſons for the office of moonſiff as may be neceſſary; in both inſtances he ſhall report the grounds of his ſelection to the provincial court with reference to the proviſions of Section VIII, of this regulation.

Former ſunnuds to be cancelled and new ſunnuds to be granted to moonſiffs, when the preſcribed arrangements ſhall have been ſanctioned by the provincial courts.

Fourth. When the ſelection of moonſiffs for each zillah or city and the places in which their reſpective cutcherries are to be held, ſhall have been approved by the provincial court, the whole of the ſunnuds, which may have been formerly granted to moonſiffs ſhall be recalled and cancelled, and new ſunnuds, drawn up according to the form No. 1, in the appendix to this regulation, ſhall be furniſhed to all thoſe, whoſe appointments may be confirmed and ſanctioned by the provincial court under the preceding clauſe.

Papers and proceedings belonging to the offices of moonſiffs which may be aboliſhed, how to be diſpoſed of.

Fifth. The offices of thoſe moonſiffs, whoſe appointments under the firſt part of clauſe third of this ſection will be no longer neceſſary, ſhall be aboliſhed; and the zillah and city judges ſhall adopt the neceſſary meaſures for transferring the papers and proceedings in depending cauſes to the juriſdictions of thoſe moonſiffs, to which they may reſpectively appertain.

Diſcretion veſted in provincial courts regarding the local juriſdiction of moonſiffs.

VII. The provincial courts are empowered to include two or more entire police juriſdictions within that of one moonſiff, and to aboliſh any of thoſe offices whenever local or ſpecial circumſtances may in their judgment render it expedient: they are further at all times authorized to cauſe the cutcherry of a moonſiff to be removed from the town or village in which it may be held to any other town or village within the limits of the ſame moonſiff's juriſdiction, which may appear more convenient.

What perſons are to be ſelected by zillah and city judges for the office of moonſiff.

VIII. *Firſt.* In the future nomination of individuals for the office of moonſiff, the zillah and city judges are not reſtricted to any particular claſſes or deſcriptions of perſons, provided that they are either of the Hindoo or Mahomedan perſuaſion, but are required generally to ſelect, in preference to other individuals ſuch of the pergunnah or city cazees as may appear to be duly qualified for the truſt.

Their qualifications to be reported to the provincial courts.

Second. The zillah and city judges ſhall communicate to the provincial court ſuch information as they may have obtained regarding the age, capacity, character, education and paſt employments of any perſon, whom they may recommend for the office of moonſiff, and no perſon ſhall be authorized to officiate as moonſiff without the previous ſanction of the provincial court.

No perſon to officiate as moonſiff without the previous ſanction of the provincial court.

Mode of proceeding for the removal of moonſiffs from office.

IX. *First.* Whenever a zillah or city judge, ſhall ſee cauſe for the removal of a moonſiff on the ground of any miſconduct, neglect of duty, incapacity or other diſqualification, the judge ſhall report the circumſtances of the caſe with his opinion on the ſubject to the provincial court, who will paſs ſuch order on the report as may appear to be proper, or will call for any additional information, or direct any further enquiry, which the nature and circumſtances of the caſe may require.

Second. Whenever a moonſiff may be guilty of exaction, or of any other groſs act of miſconduct, the judge is authorized to

Judges [illegible] lah and [illegible] author[illegible] certain[illegible] ſuſpend moonſiffs from their office.

ſuſpend him from his office, but in ſuch inſtances it ſhall be the duty of the judge to report the circumſtances of the caſe without delay, for the information and orders of the provincial court.

Or to fine them as far as 20 Rs.

Third. In other caſes of miſconduct and neglect of duty, which may not be of a nature to require either the ſuſpenſion or diſmiſſal of a moonſiff from his office, the judge is authorized to impoſe on the moonſiff a fine not exceeding twenty rupees in amount, and the order of the judge in ſuch caſes ſhall be final.

Moonſiffs not liable to diſmiſſion except by the provincial courts on ſufficient cauſe.

Fourth. No moonſiff ſhall be removed from his office unleſs the provincial court ſhall be ſatisfied that there is ſufficient cauſe for his removal.

Moonſiffs may be ſued for corruption in the civil courts and are liable to diſcretionary coſts and damages.

X. *Firſt.* Moonſiffs ſhall be liable to an action in the civil court for corruption in the diſcharge of their truſt, or for extortion, or for any oppreſſive or unwarranted act of authority; and upon proof of the charge to the ſatisfaction of the judge, he ſhall cauſe the offender to pay ſuch damages and coſts to the party injured as may appear to be equitable.

Moonſiffs may be proſecuted criminally in certain caſes and are liable to a ſentence of fine and impriſonment on conviction.

Second. Moonſiffs ſhall alſo be liable to a criminal proſecution for corruption, extortion, or other miſdemeanor committed by them in the diſcharge of any part of their duty, and on conviction before the court of circuit ſhall be ſubject to fine and impriſonment proportionate to the nature and circumſtances of the caſe; but no moonſiff ſhall be liable to be proſecuted for want of form or for error in his proceedings or judgments, nor ſhall any proceſs be iſſued againſt a moonſiff, who may be charged with corruption, extortion, or any oppreſſive and unwarranted act of authority, unleſs the judge ſhall be previouſly ſatisfied by ſufficient evidence, that there is reaſon to believe the charge to be well founded.

Proceſs not to be iſſued againſt moonſiffs without previous enquiry into the charge.

Perſons hereafter appointed to

XI. Every perſon who may in future be appointed to the office of moonſiff, will be furniſhed by the judge with a ſunnud drawn up according to the form No. 1. of the appendix to this regulation; and previouſly to entering upon the duties of his office, he ſhall take and ſubſcribe an oath according to the form preſcribed in No. 2. of the appendix. The judge however is empowered in all caſes in which he may deem it expedient, to exempt ſuch moonſiff from taking the oath, and to cauſe him to ſubſcribe a ſolemn declaration to the ſame effect.

the office of moonſiff to be furniſhed with a ſunnud and to take and ſubſcribe an oath or ſolemn declaration according to preſcribed forms.

XII. Whenever a ſunnud may be granted to a moonſiff under the preceding ſection, a copy of it under the official ſeal and ſignature of the judge ſhall alſo be delivered to him, in order that it may remain permanently affixed in ſome conſpicuous place in his cutcherry.

Copy of the ſunnud to be furniſhed to moonſiffs and to be affixed in their cutcherries.

XIII. *First.* The perſons who may be inveſted with the powers of moonſiff under this regulation, are empowered to receive, try and determine all ſuits preferred to them againſt any native inhabitant of their reſpective juriſdictions for money or other perſonal property, not exceeding in amount or value, the ſum of ſixty-four ſicca rupees, provided that the cauſe of action ſhall have ariſen within the period of one year previouſly to the inſtitution of the ſuit, and that the claim include the whole amount of the demand ariſing from ſuch cauſe of action, and provided further, that the claim be really for money due, or for perſonal property, or for the value of ſuch property, and be not for damages on account of alleged perſonal injuries, or for perſonal damages of whatever nature.

What ſuits may be tried by moonſiffs.

Second. The moonſiffs are prohibited from hearing, trying or determining any ſuits in which they themſelves, or their relatives, or dependants, or the vakeels, or other perſons employed in their cutcherries, may be parties, or in which a Britiſh ſubject, or an European foreigner, or an American may be a party.

Moonſiffs prohibited from trying ſuits in which certain claſſes of perſons may be parties;

Third. They are further prohibited from receiving or trying [illegible]

And fro[illegible] mitting [illegible]

e ſue as paupers.

any ſuits, which perſons may deſire to prefer to them in formâ pauperis.

Suits to be tried by the moonſiffs themſelves in a public cutcherry, and under what rules.

XIV. Moonſiffs are themſelves to inveſtigate the ſuits cognizable by them in a public cutcherry, or court room, and are not to allow their officers, ſervants, or dependants, or any other perſon to interfere therein. In receiving, trying and determining ſuits, they ſhall be guided by the rules preſcribed in the following ſections, and in points not expreſsly provided for in this regulation, they ſhall obſerve as nearly as may be practicable the rules preſcribed in the regulations for the guidance of the zillah and city courts in the trial and deciſion of civil ſuits.

What perſons may act as vakeels in the courts of the moonſiffs.

XV. *Firſt.* No perſon ſhall be allowed to plead or act as a vakeel in the court of any moonſiff unleſs he be a relative, ſervant, or dependant of the perſon, for whom he may be appointed to act; or unleſs he ſhall have received a ſunnud of appointment from the zillah or city judge.

Zillah and city judges may appoint vakeels in the courts of the moonſiffs.

Such vakeels to receive ſunnuds in a preſcribed form;

Second. If in any inſtance it appear to be eſſentially neceſſary that vakeels be appointed to attend the pleading of cauſes before any of the moonſiffs, the zillah and city judges are authorized to appoint a ſufficient number of perſons of good character and duly qualified, and to grant to them ſunnuds drawn up according to the form No. 3, in the appendix to this regulation. The zillah and city judges are enjoined not to exerciſe the diſcretion veſted in them by this clauſe of appointing vakeels to the moonſiff's courts, unleſs they ſhall be ſatisfied of the expediency or neceſſity of that meaſure.

And to be ſworn to the faithful diſcharge of their duty;

And ſhall be liable in certain caſes to a civil action and criminal proſecution.

Third. The vakeels ſo appointed ſhall be ſworn to a faithful diſcharge of their duties, and ſhall be liable both to a civil action, and a criminal proſecution, for all breaches of truſt, fraud, or acts of wilful miſconduct, committed by them in their capacity of vakeels. They ſhall not however be removed from their offices without proof to the ſatisfaction of the judge, of miſconduct, or of incapacity, or of groſs profligacy, or miſbehaviour, or unleſs the judge ſhall conſider it inexpedient to continue the number of vakeels appointed; in which caſe he is at all times authorized to recal and cancel the ſunnuds granted to them.

And may be removed from their offices by the judge under certain circumſtances.

Fourth. The vakeels who may be appointed under this ſection are left to ſettle with their conſtituents the fees to be paid to them for the pleading of cauſes, and for all other acts that may be performed by them. The amount of the fees which may be voluntarily agreed upon, ſhall be ſpecified in the vakalutnameh, which ſhall be written on the preſcribed ſtamp paper, and the moonſiff may include the ſame (or any part thereof which may appear reaſonable) in his judgment againſt the party caſt.

Vakeels are to ſettle with their conſtituents the amount of the fees to be received by them.

Such fees to be ſpecified in the vakalutnameh.

Fifth. The moonſiffs are carefully to prevent perſons from acting as vakeels in their reſpective cutcherries, who may not be relatives, ſervants, or dependants of the parties in cauſes before them; or may not have received ſunnuds to act as vakeels from the judge of the zillah or city in which they may be employed.

Moonſiffs are to prevent unauthorized perſons from acting as vakeels in their cutcherries.

XVI. In ſuits inſtituted before any moonſiff in conformity with Section XIII, of this regulation, no inſtitution fee ſhall be levied from the plaintiff but the following ſtamp duties ſhall be levied in lieu thereof, in conformity with the proviſions contained in Regulation I, 1814, viz. if the ſum of money or value of perſonal property claimed ſhall not exceed ſixteen ſicca rupees the plaint or petition ſhall be written on ſtampt paper of one rupee. If above ſixteen, and n[illegible]xceeding thirty-two rupees, two rupees. If above thirt[illegible] exceeding ſixty-four rupees; (which is the higheſt [illegible] in ſuits before a moonſiff) four rupees.

Stamp duty to be levied on the inſtitution of ſuits before moonſiffs in lieu of the former inſtitution fee.

XVII. The plaint ſhall ſtate preciſely the grounds of complaint, [illegible]en the cauſe of action aroſe, the name and reſidence [illegible] or perſons complained againſt, the total ſum of [illegible]unt of perſonal property claimed, and [illegible]

What matters are required [illegible] be ſtated in [illegible] plaint.

ci[illegible]

circumſtances, which may elucidate the tranſaction, and may tend to bring the matter in diſpute to a diſtinct iſſue.

The inſertion of irrelevant matter and terms of abuſe in the plaint to be reſtrained and diſcouraged.

Plaint to be ſigned, numbered, and dated.

And to be inſerted according to a preſcribed form in a book to be kept for that purpoſe.

XVIII. It ſhall be the duty of the moonſiff to reſtrain and diſcourage as much as poſſible the inſertion in the plaint of irrelevant matter and of terms of abuſe and reproach againſt the character of the defendants or others. The plaint ſhall be ſigned and numbered, and dated in the order in which it may be received by the moonſiff, and the number of the ſuit, the names of the parties, the date on which the petition is received, the amount claimed, and the ſubject matter of the ſuit, ſhall be carefully entered in a book, to be kept by the moonſiff according to the form No. 4, of the appendix; two blank columns ſhall be left in the book, in the firſt of which ſhall be inſerted the date of the deciſion and an abſtract of the final order paſſed in each ſuit, ſhewing whether the claim be decreed in whole or in part, or nonſuited, or adjuſted by razeenameh or diſmiſſed on inveſtigation of the merits, or otherwiſe diſpoſed of, and the amount of the coſts adjudged againſt either or both of the parties. In the ſecond blank column ſhall be inſerted, the date on which the copies of the decrees may be furniſhed or tendered to the parties. With a view to aſcertain that the regiſter books are regularly kept in the manner above preſcribed, and that depending ſuits are brought to a hearing according to their order on the file, the zillah and city judges are reſpectively required to inſpect them once at leaſt in each year, and for this purpoſe ſhall require the ſeveral moonſiffs to tranſmit them to the court either during the period of the Duſſera or Mohurrem vacation as may be moſt convenient.

What notice to be ſerved on the defendant.

XIX. *Firſt.* When the complaint ſhall have been thus received and entered in the book according to the preſcribed form, the moonſiff ſhall cauſe to be ſerved on the defendant a written notice under his ſeal and ſignature, containing only the number of the ſuit, the names of the parties, and a ſhort ſtatement of the [illegible]emand, and requiring the defendant to attend in perſon or [illegible]akeel, and to deliver an anſwer to the plaint on or before a certain day, which muſt be ſpecified in the notice.

To whom the notice is to be delivered.

Second. The moonſiff ſhall deliver the notice to the plaintiff or to his vakeel, and the plaintiff may either himſelf ſerve the notice on the defendant, or through any other perſon whom he may chooſe to employ for that purpoſe.—Provided however, that the name of the perſon intended to be employed in this duty be in all caſes endorſed on the notice by the moonſiff previouſly to its being delivered to the plaintiff or his vakeel for execution.

And how it is to be ſerved.

Third. The perſon through whom this notice may be ſerved, ſhall require from the defendant a written acknowledgement, to be endorſed on the back of the notice, ſignifying that it has been duly ſerved upon him, and he ſhall further cauſe ſome of the defendant's neighbours, or any mundul or putwaree or other principal inhabitant of the village, or the mohulladar of the ward, to witneſs the due execution of the ſervice, and he ſhall at all times ſtate in his report, the name or names of ſuch witneſs or witneſſes.

Notice how to be ſerved on weavers and other perſons employed in certain departments on account of government.

XX. When the defendant may be a weaver or a perſon employed in the proviſion of the Company's inveſtment under the commercial reſidents, or in the proviſion of ſalt or opium in thoſe departments, the notice above preſcribed ſhall be encloſed within a ſealed cover, addreſſed to the reſident or agent, or to the aſſiſtant, or to the gomaſtah, aumeen, or head officer of the neareſt aurung, kothee, or choukee, ſubordinate to them, and ſhall be ſuperſcribed with the official ſeal and ſignature of the moonſiff. The reſident, or agent, or his aſſiſtant, or head native officer, ſhall cauſe the notice to be duly ſerved and acknowledged by the defendant, and ſhall then [illegible]e moonſiff.

Under certain circumſtances

[illegible] *irſt.* If a defendant who may have been ſerved with the cauſe may be tried exparte.

a notice as directed in the two preceding ſections ſhall not appear in perſon or by vakeel, within the time ſpecified, or if having appeared, he ſhall refuſe to anſwer the plaint, the moonſiff ſhall proceed to try the cauſe exparte, and after examining the plaintiff's evidence in ſupport of his claim, ſhall give judgment in the ſame manner as if the defendant had appeared and anſwered to the plaint.

But moonſiffs required to aſcertain that the notice was duly ſerved on the defendant.

Second. It ſhall however be the duty of the moonſiff previouſly to trying the caſe exparte, to make ſuch enquiries from the perſon who ſerved the proceſs, and from the perſons who witneſſed ſuch ſervice, as may ſatisfy his mind, that the notice was duly ſerved on the defendant.

The abſence of the defendant or his refuſal to acknowledge the ſervice how to be certified.

XXII. *First.* In caſes in which a defendant to whom a notice may have been iſſued in conformity with the preceding ſections, may abſcond or conceal himſelf, or cannot after diligent ſearch be found, or ſhall refuſe to give the required written acknowledgment, the perſon entruſted with the execution of the proceſs, ſhall certify the ſame on the back of the notice, and ſhall require ſome perſon or perſons being neighbours of the defendant, or a mundel, or a putwaree, or other principal inhabitant of the village, or a mohalludar of the ward, in which the defendant may uſually reſide, to certify on the back of the proceſs, that after diligent ſearch the defendant cannot be found, or that he has refuſed to give the required written acknowledgment.

Proclamation to be iſſued after it ſhall have been certified that the defendant cannot be found or has refuſed to acknowledge the ſervice.

What the proclamation ſhall contain.

Second. When a return to this effect is made, the moonſiff ſhall cauſe a proclamation written in the current language and character of the country, to be affixed in a conſpicuous part of his own cutcherry, and a copy of the ſame on the outer door of the defendant's uſual place of reſidence, or ſome other conſpicuous place near it. The proclamation ſhall contain a copy of the original notice, and ſhall ſtate that if the defendant do not appear in perſon, or by a vakeel, within the period of fifteen days from the date of the proclamation, the ſuit will be brought to a hearing and determination, without the appearance or answer of the defendant.

If the defendant ſhall fail to attend within the period limited in the proclamation, the ſuit is tobe tried expa te.

[illegible]. If the defendant ſhall ſtill not appear either in perſon or by vakeel, the moonſiff, on the expiration of the period limited in the proclamation, ſhall proceed to try and detemine the ſuit exparte, with the ſame precautions, and in the ſame manner, as is preſcribed in Clauſe Second, Section XXI, of this regulation.

Moonſiffs prohibited from requiring ſecurity from defendants.

Moonſiff to report to the judge if the defendant means to abſcond or to diſpoſe of his property.

XXIII. In ſuits depending before them, the moonſiffs are hereby ſtrictly prohibited from requiring ſecurity (either mal or hazir zaminee) from the defendants, or from attaching their property. But if the moonſiff ſhall be ſatisfied by ſufficient proof, that the defendant intends to abſcond and to withdraw himſelf from the juriſdiction of the court, or that he means to diſpoſe of the property in his poſſeſſion for the purpoſe of avoiding the execution of an eventual judgment againſt him, the moonſiff ſhall report the circumſtances of the caſe to the judge, who will exerciſe his diſcretion in each inſtance, and paſs ſuch orders as may appear neceſſary, under the proviſions contained in Sections IV, and V, Regulation II, 1806. The judge may cauſe thoſe orders to be executed either by the moonſiffs, or by the proper officers of his own court, as may appear moſt convenient.

Defendant to file an anſwer to the plaint if he ſhall appear at any time before the plaintiff's evidence ſhall have been received.

XXIV. When the defendant ſhall attend either in perſon or by vakeel, within the period limited in the notice or proclamation, or at any ſubſequent period, before the plaintiff's evidence or proofs ſhall have been received in the caſe, he ſhall be allowed to take a copy of the plaintiff's petition, and to file his anſwer to the complaint.

Moonſiffs to prevent the inſertion in the anſwer of irrelevant matter and abuſive terms.

XXV. *Firſt.* It ſhall be the duty of the moonſiffs to reſtrain and diſcourage as much as poſſible, the inſertion in the anſwer of any matter evidently irrelevant to the ſuit, and of terms of abuſe and reproach againſt the character of the parties or other [illegible]

Second.

In what caſes the plaintiff may be permitted to file a reply.

Second. If the anſwer of the defendant ſhall be a ſimple admiſſion or denial of the matter contained in the plaint, no further pleading ſhall be neceſſary in ſuits before the moonſiffs, but if the anſwer ſhall contain any plea or allegation, which may require a reply on the part of the plaintiff, in order to bring the matter in diſpute to a diſtinct iſſue, or to which the plaintiff may be deſirous of replying, ſuch reply ſhall be filed on the next court day after that on which the defendant may have given in his anſwer. The plaintiff ſhall not introduce in his reply any matter not contained in his complaint. He ſhall either acknowledge the anſwer of the defendant to be true or ſimply and ſhortly deny the truth of ſuch of the facts in the anſwer, as he intends to diſpute, or ſimply deny the truth of the facts contained in it, or the competency of the anſwer.

What is to be contained in the reply.

When the rejoinder is to be filed, and what it is to contain.

Third. The defendant ſhall rejoin to the reply on the ſame day. He ſhall not introduce in his rejoinder any matter not contained in his anſwer. He ſhall ſimply deny the truth of the reply of the plaintiff, or of thoſe parts of it which he means to diſpute, or aver the truth or competency of his own anſwer, and no further pleadings whatever ſhall be admitted in ſuits before the moonſiffs.

The anſwer, reply, and rejoinder not to be on ſtampt paper.

Fourth. The anſwer, reply, and rejoinder, in ſuits tried by the moonſiffs, are not required to be written on ſtampt paper.

On the occurrence of any unauthorized delay in filing the reply or rejoinder, the trial of the ſuit not to be poſtponed on that account.

Fifth. In ſuits in which the plaintiff may delay to file his reply, or the defendant to file his rejoinder, within the fixed periods; the moonſiffs are not required to poſtpone the trial of the ſuit on that account, but may proceed in it in the ſame manner, as if the reply or the rejoinder had been actually filed.

Suits to be tried according to their order on the file.

XXVI. The moonſiffs ſhall try all ſuits depending before them, in the order in which they have been filed or numbered; provided however, that the zillah or city judge be at all times authorized

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either upon a report from the moonſiff, or upon other grounds of information to direct the moonſiff to bring any particular ſuit or ſuits to a hearing and determination without attending to the regular order of the file.

XXVII. *Firſt*, In caſes, in which the anſwer ſhall have been filed, and the parties or either of them ſhall fail to appear in perſon or by vakeel at the time, when the ſuit is firſt called over for trial, the moonſiff ſhall ſuſpend the trial, and ſhall affix in ſome conſpicuous place in his cutcherry, a notice that the ſuit will be again called over for trial after the expiration of a fixed period not being leſs than ten days. If the plaintiff ſhall not appear before the moonſiff in perſon, or by a vakeel duly authorized within the limited time, the moonſiff ſhall diſmiſs his claim; if the defendant ſhall not ſo appear by the preſcribed time, the moornſiff ſhall proceed to try the cauſe exparte.

Notice to be affixed in the cutcherry, if either of the parties ſhall be abſent when the ſuit is firſt called over for trial.

Mode of proceeding if notwithſtanding ſuch notice either of the parties may fail to attend.

Second. Provided however, that if the ſuit be diſmiſſed without an inveſtigation of the merits, and either of the parties ſhall appeal from the deciſion of the moonſiff, it ſhall be the duty of the court trying the appeal to determine the caſe on its merits, or to remand it back to the moonſiff, by whom it was diſmiſled, or to any other competent authority for a further inveſtigation.

Proviſo for caſes which may be diſmiſſed without an inveſtigation of the merits.

XXVIII. The moonſiffs are to try the ſuits depending before them by hearing the pleadings of the parties, by examining their documents, and by taking the depoſitions of their witneſſes in the preſence of the parties, or of their vakeels duly conſtituted. They may alſo examine the truth of the claim by the oaths of the parties, if they mutually conſent to that mode of examination.

Rules for the trial of ſuits depending before moonſiffs.

XXIX. *Firſt.* If the plaintiff or defendant ſhall be deſirous of ſummoning any witneſſes to appeas before the moonſiff, and [illegible] witneſſes ſhall not attend at the requiſition of the parties, [illegible] moonſiff is authorized to ſummon as witneſſes, any perſons, ſubject

Moonſiffs authorized to ſummon witneſſes who may not attend on the requiſition of the parties.

ſubject to his juriſdiction, excepting women whoſe rank may be ſuch as to render it improper to require their appearance in public. When the evidence of ſuch women is neceſſary, it is to be taken in the mode preſcribed by Section VI, Regulation IV, 1793; Section II, Regulation VIII, 1795; and Section VII, Regulation III, 1803.

What the ſummons ſhall contain.

Second. The ſummons ſhall ſpecify the number of the ſuit on the file, the name of the party at whoſe requeſt it may be iſſued, and the names and reſidence of the witneſſes, and ſhall require them to appeat at the cutcherry of the moonſiff on a ſpecific day; and there to depoſe concerning the matter in diſpute between the parties.

Summons need not be written on ſtampt paper, and not liable to any fee.

Third. The application of parties for the attendance of witneſſes before a moonſiff need not be written on ſtampt paper, nor ſhall any fee be demanded or received by the moonſiff for iſſuing the preſcribed ſummons.

Mode in which the ſummons ſhall be ſerved.

Fourth. The moonſiff ſhall deliver the ſummons to the party applying for it, or to his authorized vakeel, and ſuch party or vakeel may either ſerve the ſummons himſelf or through any other perſon whom he may chooſe to employ for that purpoſe;

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provided however that the name of the perſon intended to be employed in this duty be in all caſes notified to the moonſiff, and endorſed on the ſummons previouſly to its being delivered to the party or his vakeel for execution.

Mode of ſummoning weavers and certain other perſons employed on the part of Government, whoſe evidence may be required before moonſiffs.

XXX. If any individual whoſe evidence is required ſhall be a perſon employed in the proviſion of the Company's inveſtment under the commercial reſidents, or in the proviſion of ſalt and opium under the agents of Government, the ſummons ſhall be ſerved in the ſame manner as is preſcribed in Section XX, of this Regulation, reſpecting the iſſue of notice to a defendant. The moonſiffs will be careful not to ſummon ſuch perſons unneceſſarily, and on their attendance, ſhall cauſe them to be examined and diſmiſſed with all practicable diſpatch.

Such witneſſes to be examined and diſmiſſed with all practicable diſpatch.

XXXI. *Firſt.* If any perſon upon whom a ſummons may have been duly ſerved in the manner above preſcribed, ſhall not attend on the day appointed, the moonſiff is authorized to attach any property belonging to ſuch perſon which may be found within his own juriſdiction. If after a reaſonable time ſubſequent to ſuch attachment, the perſon ſummoned ſhall ſtill omit or refuſe to attend, and it ſhall ſatisfactorily appear by the oath of the party requiring his evidence, that the teſtimony of ſuch perſon is material to the cauſe, the moonſiff ſhall report the circumſtances of the caſe to the judge, who will exerciſe his diſcretion in iſſuing ſuch further proceſs in order to compel the appearance of the witneſs before the moonſiff as might be iſſued under the regulations if the ſuit were depending before the judge.

The property of witneſſes who may not attend after being duly ſummoned, to be attached.

Moonſiffs how to proceed if after ſuch attachment witneſſes ſhall not attend within a reaſonable term.

Further proceſs to be uſed by the judge.

Second. If notwithſtanding this further proceſs, the attendance of the witneſs cannot be obtained, the judge ſhall at his diſcretion impoſe on ſuch witneſs a fine not exceeding in any caſe the value or amount of the property in diſpute; ſuch fine ſhall be realized under the general proviſions in force for the execution of decrees.

If ſuch further proceſs be inſufficient to ſecure the attendance of the witneſs, ſuch witneſs to be fined by the judge.

Fine how to be realized.

Third. In caſes in which a witneſs duly ſummoned may attend before the moonſiff, but ſhall refuſe to give his evidence, or to ſubſcribe his depoſition, the moonſiff ſhall impoſe ſuch fine upon him as may appear proper. The moonſiff is however ſtrictly prohibited from realizing ſuch fine by his own authority; he ſhall report the circumſtances of the caſe to the judge, who will either remit or modify, or confirm the fine impoſed by the moonſiff, and will proceed to realize it in the ſame manner as is preſcribed in the preceding clauſe.

Recuſing witneſſes to be fined by the moonſiffs and the circumſtances reported to the judge.

How the judge is to proceed on receiving ſuch report.

XXXII. *Firſt.* If any moonſiff ſhall require the evidence of a perſon not ſubject to his juriſdiction, and ſuch perſon ſhall not attend

Witneſſes reſiding in other juriſdictions —

how to be ſummoned.

attend at the requiſition of the parties, the moonſiff ſhall make application to the zillah or city judge, who will iſſue the neceſſary proceſs for procuring his attendance either through the proper officers of his own court, or through the judge or the moonſiff, within whoſe juriſdiction ſuch perſon may reſide.

Caſes in which the evidence of witneſſes required by moonſiffs may be taken on written interrogatories.

Second. If however the reſidence of the witneſs ſhall be at a conſiderable diſtance from the moonſiff's cutcherry, or if other circumſtances ſhould render it inconvenient or improper to compel the perſonal attendance of any witneſs, the moonſiff is hereby authorized and required to tranſmit to the judge any written interrogatories, which he may think neceſſary, or which may be ſuggeſted by the parties or their vakeels, in the ſuit. On the receipt of ſuch written interrogatories, the judge will proceed to obtain the evidence of the witneſs in the mode preſcribed by Section VI, Regulation IV, 1793; Section II, Regulation VIII, 1795; and Section VII, Regulation III, 1803.

Witneſſes not to be maltreated by moonſiffs or detained from their homes longer than may be neceſſary.

XXXIII. The moonſiffs are hereby ſtrictly prohibited from confining or otherwiſe puniſhing witneſſes, and they are enjoined to take the depoſitions of witneſſes attending before them, with all due expedition, ſo that they may not be expoſed to any vexatious delay or unneceſſary detention from their reſpective homes and employments.

The evidence of witneſſes to be taken on oath,

XXXIV. The moonſiffs ſhall adminiſter to witneſſes ſuch oaths as may be conſidered moſt binding on their conſciences, according to their reſpective religious perſuaſions. But if the witneſs ſhall be of a rank, which according to the prejudices of the country would render it improper to compel him to take an oath, the moonſiff may diſpenſe with his being ſworn; and in lieu thereof, cauſe him to ſubſcribe a ſolemn declaration (or hulſnamah) under the rules preſcribed in Section VI, Regulation IV, 1793; and Section VII, Regulation III, 1803; or ſuch other rules as may hereafter be preſcribed.

Or on a ſolemn declaration.

XXXV. The moonſiffs are at all times authorized to cauſe the examination of a witneſs to be taken on a ſolemn declaration, or even without ſuch ſolemn declaration, whenever the parties in the ſuit, or their reſpective vakeels, may voluntarily and mutually agree to ſuch witneſs being ſo examined.

The oath or ſolemn declarations of witneſſes may be diſpenſed with by conſent of the parties.

XXXVI. In the examination of witneſſes, the moonſiffs are enjoined carefully to prevent the parties and their vakeels or agents from inſtructing or intimidating the witneſſes, or from putting to them leading queſtions, or queſtions ſuggeſting a particular anſwer; queſtions alſo with regard to the perſonal character of the parties, or on points evidently irrelevant to the matter in diſpute, are to be avoided as much as poſſible.

Witneſſes are not to be inſtructed or intimidated, and all leading and irrelevant queſtions are to be avoided.

XXXVII. The depoſition of every witneſs ſhall commence by ſpecifying the name, the father's name, (or, if the deponent be a married woman, the name of her huſband,) the religion, caſt, profeſſion, age, and place of reſidence of the deponent, and ſhall be ſubſcribed by the witneſs with his or her name or mark.

What is to be contained in the depoſition of a witneſs and how it is to be atteſted.

XXXVIII. *Firſt.* No fees ſhall be levied on exhibits filed before the moonſiffs, and exhibits ſhall be received in ſuits depending before them, without any derkhauſt or written application for that purpoſe.—The moonſiffs are ſtrictly prohibited from admitting or filing as an exhibit, or from receiving in evidence, any obligation, inſtrument, bond, deed, or document, whether it be the original, or a copy, of a deſcription which is or may be required to be written on ſtampt paper, unleſs it ſhall have been duly executed on ſtampt paper of the deſcription, value, and denomination preſcribed by the regulations.

Exhibits in ſuits before moonſiffs are not liable to the payment of fees or ſtamp duties.

But no exhibits to be admitted which are not written on the preſcribed ſtampt paper.

Second. In caſes in which a moonſiff ſhall entertain doubts whether a document preſented to him as an exhibit has been duly executed on paper bearing the preſcribed ſtamp, he ſhall

Moonſiffs to report to the judge inſtances in which exhibits may appear to be written on

transmit

ſtampt paper differing from the preſcribed ſtampt paper.

tranſmit ſuch document, with a ſtatement of the caſe, to the judge for his opinion, and ſhall be guided by the inſtructions he may in conſequence receive from the judge, either in rejecting, or admitting ſuch exhibit.

Exhibits are to be dated, ſigned and marked, and are to be deſcribed according to that mark in the proceedings and decree.

Third. When an exhibit is filed in a ſuit before the moonſiff, it ſhall be dated and ſigned or ſealed by him, and ſhall be marked with ſome letter or number to identify it, and ſuch letter or number ſhall be diſtinctly referred to in thoſe parts of the depoſitions of the witneſſes, or of the proceedings, or of the decree, as may allude to ſuch exhibit.

The deciſion is to be paſſed after conſideration of the pleadings, exhibits and evidence.

XXXIX. When the parties have been heard, and the exhibits received and conſidered, and the witneſſes on both ſides examined, the moonſiff ſhall give judgment according to juſtice and right.

What ſhall be contained in the decree.

XL. The decree ſhall ſpecify the names of the parties, and the names of the witneſſes examined, and the titles of the exhibits read. It ſhall alſo contain an abſtract ſtatement of the material facts alleged in the pleadings of both parties, and an elucidation of the principal grounds and reaſons on which the deciſion may be paſſed. It ſhall ſtate ſpecifically the ſum of money, or the value or amount of perſonal property adjudged, and the amount of the coſts or damages payable by the parties reſpectively. If any claim ſhall appear to the moonſiff to be evidently litigious and vexatious, he ſhall adjudge ſuitable coſts and damages againſt the plaintiff, and inſert the ſame in the mode above directed in the decree.

Coſts and damages to be awarded in the decree in ſuits which may appear to be litigious or vexatious.

XLI. *Firſt.* When the deciſion ſhall have been thus paſſed, the moonſiff ſhall cauſe two copies of it to be prepared, and after atteſting them with his ſeal and ſignature ſhall, within one week after the date of the decree, tender the ſaid copies in open cutcherry, both to the plaintiff and defendant or to their vakeels

Two copies of the decree to be prepared and tendered to the parties.

reſpectively; he ſhall endorſe on the back of the ſaid copies the actual date on which they may be tendered to the parties in open cutcherry, and if either or both of the parties ſhall fail to attend, or ſhall refuſe to receive the copies ſo tendered, he ſhall certify the ſame on the back of the copies.

The date of the tender and the cauſe of the non delivery of the copies to be certified by the moonſiff and endorſed on the back of the copies.

Second. Any moonſiff who may be guilty of wilfully miſtating, or falſifying, or of cauſing to be miſtated or falſified, the date and purport of the endorſement above directed to be written on the copies of the decrees, or of keeping back ſuch copies of decrees from either of the parties, with the view of defeating or oppoſing a bar to their right of appeal ſhall, on proof thereof to the ſatisfaction of the provincial court, be liable to diſmiſſion from office, and to ſuch diſcretionary fine to government as may be deemed proper by that court.

Penalty for falſifying the date and purport of the endorſement and for keeping back copies of the decree from either of the parties.

Third. The copies of decrees above directed to be tendered to parties by the moonſiffs, need not be written on ſtampt paper.

Copies of decrees tendered by the moonſiffs need not be written on ſtampt paper.

XLII. If a party, vakeel, or witneſs in any depending ſuit ſhall be guilty of diſreſpectful behaviour to the moonſiff in open court, the moonſiff is empowered to impoſe ſuch fine on the party, vakeel, or witneſs ſo offending, as may appear proper. The moonſiff is however ſtrictly prohibited from realizing ſuch fine by his own authority. He ſhall report the circumſtances of the caſe to the judge, who will either remit, modify, or confirm the fine impoſed by the moonſiff; and in either of the latter caſes, will proceed to levy it under the general proviſions in force for the execution of decrees.

Moonſiff may fine parties, vakeels or witneſſes for diſreſpect in open court, and ſhall report ſuch fines to the judge.

The judge may remit or modify or confirm the fines, and may realize them by the proceſs for the execution of decrees.

XLIII. *First.* It ſhall be the duty of the moonſiffs to tranſmit to the judge on the fifteenth of each month, or as much ſooner as may be practicable, a report of all the ſuits decided by them in the preceding month, drawn up according to the annexed form No. 5. of the appendix. Theſe reports ſhall be accompanied by all

Monthly report of ſuits decided and proceedings on ſuch ſuits to be tranſmitted to the judge.

all the original papers and documents in the caſe, that they may be depoſited among the records of the court.

Half yearly report of depending ſuits to be tranſmitted to the judge according to a preſcribed form.

Second. The moonſiffs ſhall likewiſe be required to tranſmit on the 15th of January and 15th of July of each year, or as much ſooner as may be practicable, a report of the cauſes depending before them on the 1ſt of January and 1ſt of July, drawn out according to the annexed form No. 6, of the appendix.

Monthly and half yearly reports how to be forwarded to the judge.

Third. The required monthly and half yearly reports ſhall be encloſed in a cover addreſſed to the judge, and ſealed with the ſeal of the moonſiff. The packet ſhall be forwarded to the judge either by the public dawk, (the officers of which are hereby required to receive and convey ſuch packets free of poſtage,) or by a ſervant of the moonſiff, or the moonſiff may deliver it to the neareſt police darogah who ſhall give a receipt for it, and convey it to the judge. The moonſiffs are directed to ſeal and faſten the public packets and reports which they may have occaſion to tranſmit to the court, in ſuch a manner as may enable the court to detect any inſtance in which the packets may be opened, or the ſeals broken, during their tranſmiſſion to the court.

Moonſiffs prohibited from executing their own decrees.

XLIV. The moonſiffs are ſtrictly prohibited from enforcing their own deciſions, and from iſſuing any proceſs, or uſing any coercive means for that purpoſe, except in caſes in which the judge, under the power veſted in him by Sections LI, and LII, may deem it expedient to employ them in the execution of that duty.

Mode of obtaining the execution of a decree paſſed by a moonſiff.

XLV. *Firſt.* Whenever a party who may have obtained a decree in the court of a moonſiff ſhall be deſirous of having it enforced, he ſhall preſent a petition to the zillah [illegible] the ſtampt paper preſcribed by Section X[illegible] If the decree ſhall have been paſſed p[illegible] bruary 1815, the petition ſhall be pre[illegible] one year from that date; if the decree ſhall be paſſed on or after the 1ſt of February 1815, the petition ſhall be preſented within the period of one year from the date of the decree.

A petition to be preſented to the judge.

Second. Such petition ſhall be preſented either in perſon or through an authorized pleader of the court, and ſhall contain a ſtatement of the number of the ſuit, of the name and deſignation of the moonſiff by whom it was decided, of the names of the parties in the cauſe, of the date of the deciſion, and of the total ſum which may have been adjudged to the petitioner either on account of the original claim or of coſts of ſuit; the petition ſhall further ſtate whether an appeal has or has not been admitted from the moonſiff's deciſion.

What ſuch petition is to contain.

Third. When ſuch petition ſhall be received, the judge ſhall cauſe the purport of the petition to be compared with the decree in the original record of the ſuit, and with the ſtatement contained in the monthly report of cauſes decided by the moonſiff.

The original decree and the monthly report of cauſes decided to be examined.

Fourth. If the ſuit ſhall have been regularly appealed, the execution of the moonſiff's decree ſhall be ſuſpended or otherwiſe, according to the rules in force.

Mode of proceeding where an appeal may have been admitted.

Fifth. If the petition for the execution of a moonſiff's decree ſhall not be preſented until after the periods preſcribed in Clauſe First of [redacted] and no ſatisfactory cauſe ſhall be ſhewn for the delay, hall not be executed, but the party ſhall be allowed new [redacted] illah or city court; in the trial of uits, the de ot be allowed to impugn the merits of the original ju d by the moonſiff, unleſs the ſuit ſhall have been tried in the firſt inſtance; but he [redacted] originally decreed, or any part of it, has bee at the matter in diſpute has been adjuſt date of the original judgment.

If the periods limited for the execution of decrees ſhall have elapſed, the party to be referred to a new ſuit.

What may be pleaded by the defendant in ſuch ſuit.

Sixth.

If the limited periods ſhall not have elapſed the decree is to be executed.

Sixth. If the petition for the execution of a moonſiff's decree, ſhall be preſented within the limited periods preſcribed by Clauſe Firſt of this ſection, and no appeal ſhall have been preferred from the deciſion, ſuch decree ſhall be enforced in conformity with the regulations; provided however, that if the judge ſhall have reaſon to believe that the decree was obtained in an irregular manner, or that on any other ſufficient grounds it ought not to be enforced, he may permit the party againſt whom the decree may have been paſſed, to prefer an appeal from ſuch decree, although the preſcribed period for admitting ſuch appeal may have elapſed.

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No perſon to be impriſoned in execution of a decree not exceeding ſixty-four ſicca rupees for a longer period than ſix months.

Seventh. With a view to prevent the protracted impriſonment of perſons confined in execution of decrees for ſums of inconſiderable amount, it is hereby provided in addition to the rule contained in Section XI, Regulation II, 1806, that no perſon from and after the 1ſt February 1815, ſhall be liable to perſonal confinement, in ſatisfaction of a decree for any ſum, not exceeding ſixty-four ſicca rupees, beyond a period of ſix months; but that at the expiration of that period, any perſon ſo confined, ſhall be entitled to be releaſed; but any property which may belong to ſuch perſon ſhall at all times, either during his impriſonment, or ſubſequently to his releaſe, be liable to attachment and ſale for the purpoſe of realizing the amount of the judgment, or ſuch part thereof as may remain due.

But any property belonging to ſuch perſon liable to be ſold in execution of the judgment.

Mode of admiting appeals from the deciſions of moonſiffs.

XLVI. *Firſt.* Any perſon diſſatisfied with the deciſion of a moonſiff, ſhall be at liberty to appeal from it to the judge, provided the petition of appeal be preſented within thirty days after the date on which copies of the decrees may have been furniſhed or tendered to the parties or to their vakeels, in conformity with Section XLI, of this regulation; a diſcretionary power however is veſted in the judge of admiting appeals from deciſions of the moonſiffs, although the petitions may not be preſented within the preſcribed period if the appellant ſhall ſhew ſatisfactory cauſe for not having before preſented the petition.

Second. All petitions of appeal from deciſions of the moonſiffs are to be preſented to the judge of the zillah or city, in which the moonſiffs may officiate, and the moonſiffs are prohibited from receiving any petitions of appeal from their own deciſions.

Petitions of appeal from deciſions of moonſiffs to be preſented to the judge.

Third. All petitions of appeal from deciſions of moonſiffs are to be preſented by the appellant in perſon, or by one of the authorized vakeels of the court; and if the appeal ſhall be admitted, and the appellant and reſpondent ſhall not plead their cauſe in perſon, their reſpective vakeels are to be allowed the ſame fees as in other ſuits tried before the judge.

How ſuch petitions are to be preſented.

Fourth. Deciſions of the moonſiffs are not to be ſet aſide for want of form or for irregularity in their proceedings, but on the merits only.

Deciſions of moonſiffs not to be ſet aſide for want of form.

Fifth. When an appeal may be received from the deciſion of a moonſiff, the judge is empowered to ſuſpend the execution of the decree, provided the party appealing againſt it, ſhall give good and ſufficient ſecurity within a reaſonable period to be fixed by the judge to perform the decree of the court.

In what caſes the judge may ſuſpend the execution of decrees paſſed by moonſiffs, from which an appeal may be admitted.

XLVII. *Firſt.* The zillah and city judges may for any reaſon that may appear to them ſufficient, bring up for trial before them, or their regiſters, or the ſudder aumeens, any cauſes, that may be depending before the moonſiffs, or may transfer ſuch cauſes from one moonſiff to another.

Suits depending before moonſiffs may be tried by the judge or referred for trial to other tribunals.

XLVIII. Upon the death, removal, or reſignation of any moonſiff, the judge ſhall, if neceſſary, immediately nominate another perſon in his room for the approbation of the provincial court, and ſhall cauſe all papers in the cauſes depending before the late moonſiff to be delivered over to his ſucceſſor, or otherwiſe to be diſpoſed of as circumſtances may require.

When a vacancy may occur in the office of moonſiff, the judge to nominate a ſucceſſor.

Rules regarding the compenſation to be granted to moonſiffs on the deciſion of ſuits ſubſequently to the 1ſt of Feburary 1815.

XLIX. *Firſt.* The compenſation, which the moonſiffs ſhall be hereafter entitled to receive for their trouble in the trial of ſuits which may be decided by them ſubſequently to the 1ſt February 1815, and for the neceſſary eſtabliſhment of officers, ſhall be adjuſted in conformity with the following clauſes.

The full value of the ſtampt paper on which the plaint may have been written to be paid to moonſiffs on ſuit decided by them on the merits, or adjuſted by razeenameh.

Second. On every ſuit which may be now depending or may be hereafter inſtituted in the cutcherry of the moonſiffs, and which may be adjuſted by razeenameh, or decided by the moonſiffs on an inveſtigation of the merits, ſubſequently to the 1ſt February 1815, they ſhall be entitled to receive the full amount of the inſtitution fee, or the full value of the ſtampt paper, ſubſtituted for ſuch inſtitution fee, on which the plaint or petition in ſuch ſuit may have been written.

Statement to be prepared from the monthly reports of cauſes decided.

Third. Together with the monthly report of cauſes decided, which the moonſiffs are required to tranſmit under Section XLIII, of this Regulation, the moonſiffs ſhall forward a ſeparate ſtatement under their reſpective ſeals and ſignatures, exhibiting the amount of the inſtitution fee, or the value of the ſtampt paper ſubſtituted for ſuch inſtitution fee, in all ſuits which may have been decided by the moonſiffs during the paſt month, on an inveſtigation of the merits of the caſe, or which may have been adjuſted by razeenamahs of the parties; from this ſtatement ſhall be carefully excluded the amount of the inſtitution fee, or the value of the ſtampt paper ſubſtituted for ſuch fee, in thoſe plaints, which may have been diſmiſſed from the non-attendance of the plaintiff, or from any other ground of nonſuit or default. The moonſiffs ſhall not be entitled to any remuneration on ſuits, which may have been diſmiſſed by them without a determination on the merits of the caſe, or an adjuſtment by razeenamahs of the parties.

Suits diſmiſſed on default or nonſuited, not to be included in ſuch ſtatement.

The ſums to which the moonſiffs may be entitled, to

Fourth. The ſtatement ſo tranſmitted ſhall be carefully reviſed, and ſhall be compared, with the original records of the [illegible] ſuits by the ſeriſhtadar or treaſurer or other authorized officer of the court, and ſhall be counterſigned by ſuch officer in teſtimony of his having aſcertained the accuracy of the ſtatement; an order ſhall then be endorſed on the ſtatement under the ſeal of the court, and the ſignature of the judge, and ſuch order ſhall be a ſufficient authority to the treaſurer of the court for the payment of the amount to the moonſiffs.

be paid to them through the treaſurer of the court.

L. *First.* In queſtions which may ariſe in ſuits depending before the judge of any zillah or city court relating to the adjuſtment of accounts in revenue or mercantile tranſactions, or regarding the boundaries of lands or houſes, or regarding the right of way in roads or pathways, or regarding any rights in foreſts, commons, rivers, lakes, ponds, wells, reſervoirs or water courſes, or regarding the quantity or deſcription of land and the rent to which it is liable, and generally in all queſtions of local rights and uſages which cannot be conveniently decided without an enquiry on the ſpot, the zillah or city judge may empower any moonſiff within his juriſdiction to make a local inveſtigation into the merits of the queſtion in diſpute.

The judges may employ the moonſiffs in the inveſtigation of queſtions reſpecting local rights and uſages.

Second. The zillah or city judges ſhall furniſh to the moonſiffs ſuch part of the proceedings, and ſuch detailed inſtructions in each caſe, as may be neceſſary for his information and guidance, and ſhall enjoin the moonſiff, either merely to take the requiſite evidence in the preſence of the parties or their vakeels, and to tranſmit the ſame to the court, or likewiſe to tranſmit, with the evidence ſo taken, a report of his own ſentiments on the point at iſſue founded on the reſult, of the inveſtigation held by him.

Inſtructions and proceedings to be furniſhed to the moonſiffs in ſuch caſes.

Third. The proceedings of the moonſiff are to be received as evidence in the caſe with regard to the ſpecific matter, which he may have been directed to inveſtigate, but if the judge ſhall have reaſon to be diſſatisfied with the proceedings of

The proceedings of the moonſiffs to be received as evidence in ſuch caſes, unleſs the judge may be diſſatisfied with them.

of the moonſiff, he is at liberty to make ſuch further enquiry as may be requiſite, and to paſs ſuch ultimate judgment as may appear to him to be right and proper.

Moonſiffs may be employed in giving poſſeſſion of real property under decrees.

LI. *Firſt.* The zillah and city judges are further authorized to employ the moonſiffs in delivering over formal poſſeſſion of lands, houſes, or other real property in conformity with decrees regular or ſummary.

Moonſiffs how to be remunerated for their trouble in ſuch caſes.

Second. Previouſly however to iſſuing any inſtructions to a moonſiff for the performance of any of the duties deſcribed in this or the preceding ſection, the judge ſhall require either the plaintiff or the defendant, according to the circumſtances of the caſe, to pay into court ſuch a ſum of money as may be an adequate remuneration to the moonſiff for his trouble, provided ſuch ſum do not exceed the probable expenſe which would be incurred if an ameen or a native officer of the court were employed in the execution of the ſame duty.

Such remuneration to be forfeited, if the moonſiff ſhall have been guilty of miſconduct in the execution of the duty.

Third. The moonſiff ſhall be entitled to receive ſuch ſum as may have been paid into court under the preceding clauſe, except under circumſtances, in which he may appear to have performed the duty entruſted to him in a negligent, unjuſt, or improper manner; in ſuch caſes the ſaid ſum of money ſhall be returned to the party who depoſited it in court.

Moonſiffs may be employed to ſell perſonal property by order of the judge, and ſhall receive a commiſſion on the proceeds of ſuch ſale.

LII. The moonſiffs may be employed at the diſcretion of the zillah and city judges in the attachment and ſale of perſonal property for the purpoſe of realizing the amount of fines, or of decrees regular or ſummary, and ſhall be entitled to receive a commiſſion of one anna in each rupee on the proceeds of ſuch ſales.

Moonſiffs may be directed to report on the ſufficiency of ſecurities, and the indigence of paupers.

LIII. The zillah and city judges are further empowered to employ the moonſiffs in aſcertaining and reporting upon the ſufficiency of ſecurities, and the indigence of perſons ſuing in formâ pauperis.

LIV. The proviſions of the preceding ſections are not intended to preclude the zillah and city courts from deputing an ameen for local enquiries, or from employing the authorized officers of the court in the execution of the various duties above detailed, whenever they may deem it expedient to do ſo in conformity with the exiſting regulations; and the zillah and city judges will be careful, that the time of the moonſiffs be not ſo much occupied in the miſcellaneous duties above deſcribed, as to interfere materially with the early trial and deciſion of the regular ſuits depending before them

The preceding rules are not to preclude the employment of ameens or other officers of the court.

Judges to be careful that the time of the moonſiffs be not too much occupied in miſcellaneous duties.

LV. The moonſiffs ſhall continue to diſcharge the ſame functions and to exerciſe the ſame powers as are at preſent veſted in them by the Regulations in force, regarding diſtreſs and ſale for the recovery of arrears of rent.

Moonſiffs to act as heretofore in the ſale of diſtrained property.

Local rule for moonſiffs in the town of Juggunauth-pooree in zillah Cuttack.

LVI. The rules contained in Section VI, of this Regulation, regarding the local juriſdiction of moonſiffs ſhall not be conſidered applicable to the dewul purchas, who under Section XXIII, Regulation IV, 1806, may be appointed to the office of moonſiff in the town of Juggunauth-pooree, and its dependencies. Such moonſiffs ſhall however receive a new ſunnud drawn up according to the form preſcribed in No. 1, of the appendix, and ſhall be inveſted with the additional powers conferred on moonſiffs generally by this regulation.

Local rule for moonſiffs in the town of Juggunauth-pooree.

Local rules for moonſiffs in zillah Chittagong.

LVII. The preceding rules of this regulation are hereby declared applicable to the native commiſſioners employed in the zillah

The judg[illegible] zillah Chi[illegible]gong ma[illegible] ſuits fo[illegible] prope[illegible] ceeding 64 Rs. in amount to the moonſiffs in that zillah.

lah of Chittagong, but in addition to the ſuits for ſums of money, or perſonal property not exceeding ſixty-four rupees, which they are authorized to receive and try under this regulation, the judge of zillah Chittagong is hereby empowered to refer to them for trial and deciſion ſuits for landed property, provided that the amount of the ſuit calculated in conformity with the proviſions of Section XIV, Regulation I, 1814, do not exceed the ſum of ſixty-four ſicca rupees.

Form of ſunnud to be granted to moonſiffs in zillah Chittagong, and of the oath to be taken by them.

LVIII. The moonſiffs in zillah Chittagong who may be veſted with the powers of hearing and determining ſuits for landed property, ſhall receive a ſunnud from the judge in the form preſcribed in the appendix No. 1, and ſhall take the oath preſcribed in the form No. 2, of the appendix, with ſuch alterations in thoſe forms reſpectively as may be requiſite under the preceding ſection.

Special rules for commiſſioners of land ſuits in zillah Chittagong.

LIX. *First.* The ſpecial rules contained in the two following clauſes, are further preſcribed for their guidance.

By what laws their deciſions are to be regulated.

Expoſition of the law how to be obtained.

Second. In all caſes of inheritance of, or ſucceſſion to, landed property, the Mahomedan laws with reſpect to Mahomedans, and the Hindoo laws with regard to Hindoos, are to regulate the deciſion; and the commiſſioners in all ſuch caſes are to obtain an expoſition of the law from the law officers of the zillah court, to whom they are to tranſmit a written abſtract of the caſe for this purpoſe; ſuch expoſition however is not to preclude a further reference to the law officers of the zillah courts, upon ſuch points of law, as may ariſe upon the cauſe in the event of its being tried in appeal.

Notification to be iſſued in ſuits relative to the inheritance of, or ſucceſſion to, landed property.

And all claimants to be included in the deciſion.

Third. In all ſuits relative to the inheritance of, or ſucceſſion to, landed property, the commiſſioners are to affix in ſome conſpicuous part of their cutcherries a written notification of the claim preferred, with a requiſition to all perſons who may have any claim to the property ſued for, to prefer the ſame within a limited period, and their deciſions are to include all claimants to the property in queſtion, who according to the law of the parties whether Muſſulmans or Hindoos, have a juſt and legal title to ſhare therein.

Juriſdiction and duties of ſudder ameens.

LX. The following rules are enacted for defining the juriſdiction and explaining the duties of the perſons who now hold, or may hereafter be appointed to the office of ſudder ameen.

Provincial courts may augment or diminiſh the number of ſudder ameens according to local circumſtances.

LXI. The number of ſudder ameens to be hereafter employed in each zillah or city ſhall be unlimited. The provincial courts may at all times exerciſe their diſcretion in diminiſhing or augmenting the number of thoſe officers on a conſideration of the ſtate of civil buſineſs and other local circumſtances.

Law officers of the zillah and city courts to be ex-officio ſudder ameens.

LXII. The Mahomedan and Hindoo law officers of the zillah and city courts, ſhall by virtue of their offices, be deemed ſudder ameens of the zillah or city, in which they may be reſpectively employed.

Nomination and appointment of other ſudder ameens.

LXIII. All other ſudder ameens ſhall be nominated by the judges of the zillah or city courts, and approved by the provincial court, and ſhall not be authorized to enter upon the duties of the office without the previous ſanction of that court.

Judges to report to the provincial courts the qualifications of perſons whom they may recommend for the office of ſudder ameens.

LXIV. In the future nomination of individuals for the office of ſudder ameen[illegible] the zillah and city judges are not reſtricted to perſons of [illegible] particular claſs or religious perſuaſion, but are required care[illegible] ſelect ſuch individuals, as may be beſt qualified for [illegible], and to communicate to the provincial court full information regarding the native country, age, education, capacity, character and paſt employments of the individuals whom they may recommend.

Former ſunnuds granted to ſudder ameens to be recalled and new ſunnuds in a preſcribed [illegible]

LXV. [illegible] commiſſions or ſunnuds of appointment, which may have been granted to perſons holding the office of ſudder form to be furniſhed to them.

ſudder ameen ſhall be recalled and cancelled, and in lieu thereof new ſunnuds ſhall be granted to them under the ſeal and ſignature of the judge drawn up according to the form preſcribed in the appendix No. 7.

Similar ſunnuds to be granted to ſudder ameens who may be hereafter appointed, but not to the law officers of the zillah and city courts.

Second. Similar ſunnuds ſhall alſo be granted to all perſons, who may be hereafter appointed to the office of ſudder ameen. It will not however be neceſſary to grant ſuch ſunnuds to the law officers of the zillah and city courts, who by Section LXII, of this Regulation, are, by virtue of their offices, veſted with the powers of ſudder ameen.

Form of oath to be taken and ſubſcribed by ſudder ameens who may be hereafter appointed.

LXVI. Every perſon, who may in future be appointed to the office of ſudder ameen, ſhall previouſly to entering upon the execution of the duties of his ſituation, take and ſubſcribe an oath according to the form preſcribed in the appendix No. 8. before the judge of the zillah or city in which he may be appointed to officiate; but the judge is empowered in all caſes, in which he may deem it expedient, to exempt ſuch ſudder ameen from taking the oath, and in lieu thereof to cauſe him to ſubſcribe a ſolemn declaration to the ſame effect.

A ſolemn declaration may be admitted in lieu of the oath.

Sections IX, and X, of this Regulation, applicable to ſudder ameens, whoſe cutcherries ſhall be held in ſuch places as the judges may direct.

LXVII. The proviſions of Sections IX, and X, of this Regulation, are hereby declared to be applicable to the office of ſudder ameens, as well as to that of moonſiffs appointed under this regulation; the ſudder ameens are to hold their cutcherries at the ſtation where the zillah or city court is held, in ſuch convenient places as the judge may direct.

What ſuits may be referred to a ſudder ameen.

LXVIII. The judges of zillahs and cities are authorized to refer to the ſudder ameens for trial and deciſion any original ſuits for money or other perſonal property, not exceeding in amount or value 150 ſicca rupees, or for the property or poſſeſſion of land or other real property, the amount of which calculated in conformity with the proviſions of Section XIV, Regulation I, 1814, may not exceed 150 ſicca rupees. No ſuit however ſhall be hereafter referred for trial and deciſion to a ſudder ameen, in which he himſelf, or his relatives, or dependants, or the vakeels or officers of his court, or a Britiſh European ſubject, or an European foreigner, or an American may be a party, or in which the plaintiff may have been admitted to ſue in formâ pauperis.

LXIX. In referring ſuits for trial to the ſudder ameens, the judge ſhall generally refer ſuch caſes as are likely to involve queſtions of Hindoo law to the Hindoo law officer, and of Mahomedan law to the Mahomedan law officer.

Caſes involving queſtions of law to be referred reſpectively to the Hindoo and Mahomedan law officers.

LXX. No inſtitution fee ſhall be levied on ſuits referred to any ſudder ameen, but the following ſtamp duties ſhall be levied in lieu thereof, in conformity with the tenor of the rules contained in Regulation I, 1814.

Stamp duty to be levied on the inſtitution of ſuits referred to ſudder ameens.

If the ſum of money, or value or amount claimed, ſhall not exceed ſixteen rupees, the plaint or petition ſhall be written on ſtampt paper of one rupee.

If above ſixteen, and not exceeding thirty-two rupees, two rupees.

If above thirty-two rupees, and not exceeding ſixty-four rupees, four rupees.

If above ſixty-four, and not exceeding one hundred and fifty rupees, eight rupees.

LXXI. The ſudder ameens are themſelves to inveſtigate the ſuits referred to them in a public cutcherry or court room, and are not to allow their officers, ſervants, or dependants, or any other perſon to interfere therein.

Sudder ameens are themſelves to inveſtigate ſuits referred to them.

LXXII. All cauſes referred to the ſudder ameens, ſhall be pleaded either by the parties in perſon, or by an authorized vakeel of the zillah or city court. The judges of the ſeveral zillahs and

How ſuch ſuits ſhall be pleaded.

cities will aſſign to the court of each ſudder ameen, ſuch a number of the authorized vakeels as may appear neceſſary. The whole of the regulations in force regarding the authorized vakeels of the zillah and city courts, ſhall be applicable to the authorized vakeels employed in the courts of the ſudder ameens.

Recital of the proviſions of this regulation which are applicable to ſuits tried by ſudder ameens.

LXXIII. The proviſions contained in Sections XVIII and XXIII, Clauſe Fourth, Section XXV, in Sections XXVI, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XL, XLI, XLIII, XLIV, XLVI, XLVII, XLVIII, and XLIX, of this regulation, are hereby declared to be equally applicable to original ſuits referred to ſudder ameens as to thoſe tried by moonſiffs. The ſpecial rules preſcribed in Sections LVII, LVIII, and LIX, ſhall be likewiſe ſtrictly obſerved by the ſudder ameens in all ſuits, which may be referred to them relative to the inheritance of, or ſucceſſion to landed property.

Rules to be followed in caſes not expreſsly provided for.

LXXIV. In points not expreſsly provided for by the foregoing rules, the ſudder ameens ſhall obſerve as nearly as may be practicable the rules preſcribed in the regulations for the guidance of the zillah and city courts in the trial and deciſion of original civil ſuits. Provided however, that every notice, ſummons, attachment, or other proceſs relative to any cauſe depending before a ſudder ameen ſhall be iſſued under the ſeal of the zillah and city court, and under, the official ſignature of the judge or regiſter, and ſhall be executed through the regular officers of the zillah or city courts; provided further, that nothing in this regulation ſhall be conſtrued to empower the ſudder ameens to realize by their own authority any fines, which they may impoſe under the general Regulations. In ſuch inſtances they ſhall report the circumſtances of each caſe to the zillah or city judge, who will either remit, or modify or confirm, the fine impoſed by the ſudder ameen, and will proceed to realize the ſame under the ſame rules, as are preſcribed for the execution of decrees.

Proviſo.

Further proviſo.

What appealed ſuits may be referred to ſudder ameens.

LXXV. *Firſt.* In addition to the original ſuits, which the zillah and city judges are authorized to refer to ſudder ameens under Section LXVIII, they are empowered to refer to the ſudder ameens, any depending appeals from the deciſions of moonſiffs, which the judges themſelves may be unable to try and determine with ſufficient diſpatch.

A ſeparate regiſter book to be kept of ſuch appeals.

Deciſions of ſudder ameens on ſuch appeals to be final.

Second. The ſudder ameens, to whom ſuch appeals may be referred, ſhall keep a ſeparate regiſter book of them, according to the form preſcribed in No. 4 of the appendix to this regulation, and in their monthly and half yearly reports, they ſhall carefully diſtinguiſh ſuits referred to them in appeal, from ſuits referred to them for trial and determination in the firſt inſtance. The deciſions of ſudder ameens on appeals referred to them under this ſection, ſhall be final, unleſs the zillah or city judges ſhall ſee reaſon to admit a ſpecial appeal under the proviſions of Section II, Regulation XXVI, 1814.

Rules for the trial of ſuch appeals, and remuneration, to which the ſudder ameens are entitled in ſuch appeals.

Third. The ſudder ameens ſhall try and determine all appeals, which may be referred to them in conformity with the rules preſcribed for the trial and determination of appeals by the zillah and city courts, and when ſuch appeals may be decided by them on an inveſtigation of the merits of the caſe, or may be adjuſted by razeenamahs of the parties, they ſhall be entitled to receive the ſame fees, as in original ſuits decided by them under the proviſions of Section XLIX, of this regulation.

Matters of account and of fact and of uſage may be referred to the ſudder ameens for adjuſtment, inveſtigation, and report.

LXXVI. *Firſt.* In the trial of regular ſuits by the zillah or city judges, or in miſcellaneous caſes, whenever the adjuſtment of accounts regarding the execution of decrees, and mercantile or revenue tranſactions, or the inveſtigation of diſputes between landlord and tenant, or of other ſpecial matters of account, fact, or uſage, may be requiſite; and ſuch adjuſtment or inveſtigation, if conducted by the judge himſelf, would occupy a larger portion of his time than could be conveniently devoted to it; the judge is hereby authorized to direct any of the ſudder ameens under his juriſdiction, to make ſuch adjuſtment or inveſtigation.

Inſtructions to be furniſhed to the ſudder ameens on ſuch references.

Second. The judge ſhall in theſe caſes furniſh to the ſudder ameen ſuch part of the proceedings and ſuch detailed inſtructions, as may appear neceſſary for his information and guidance, and ſhall direct the parties, or their vakeels, or authorized agents to attend upon the ſudder ameen, during the adjuſtment or inveſtigation.

What the inſtructions are to ſpecify.

Third. The inſtructions muſt diſtinctly ſpecify, whether the ſudder ameen is merely to tranſmit the proceedings, which he may hold on the enquiry, or alſo to report his own opinion on the point referred for his inveſtigation.

The proceedings of the ſudder ameens on ſuch references to be received as evidence.

Fourth. The proceedings of the ſudder ameen are to be received in evidence in the caſe, unleſs the judge may have reaſon to be diſſatisfied with them, in which caſe he will make ſuch further enquiry, as may be requiſite, and will paſs ſuch ultimate judgment or order, as may appear to him to be right and proper.

Remuneration to be made to the ſudder ameen on the completion of the duty.

Proviſo.

Fifth. On the completion of the adjuſtment or enquiry, the judge ſhall order ſuch a ſum to be paid to the ſudder ameen by one or both of the parties in the caſe, as may appear to be an adequate remuneration for his trouble; provided however that ſuch ſum ſhall in no caſe exceed one fourth of the value of the inſtitution fee, or the amount of the ſtamp duty ſubſtituted for ſuch inſtitution fee, under Regulation I, 1814.

Further proviſo.

Sixth. Provided further, that in theſe zillahs or cities, in which a monthly ſalary is allowed by government to a ſudder ameen, the adjuſtments or inveſtigations deſcribed in this ſection ſhall be referred to ſuch head commiſſioner, in all caſes, in which it would be improper to burthen the parties with any additional expenſe. In conſideration of the monthly ſalary received by ſuch ſudder ameen from government, he ſhall not be entitled to receive any additional compenſation in thoſe inſtances, either from the parties or from government.

Power veſted in zillah and city judges by Sections L, LI, and LII, extended to Regiſters with certain reſtrictions.

LXXVII. The power veſted in the zillah and city judges by the preceding ſection, and by Sections L, LI, and LII, of this regulation, of referring ſpecial matters for adjuſtment or inveſtigation to ſudder ameens and moonſiffs, may alſo be exerciſed by the zillah and city regiſters in caſes before them; with a view however to prevent the time of the ſudder ameens and moonſiffs from being too much occupied by miſcellaneous duties, the regiſter ſhall make thoſe references through the channel of the zillah and city judge, who will exerciſe his diſcretion, either in ſanctioning the reference, or in enjoining the regiſter to make the adjuſtment or inveſtigation according to the ordinary and eſtabliſhed forms.

The proviſions of this regulation are not intended to apply to the foreign ſettlements.

LXXVIII. It is hereby declared, that the proviſions of this regulation are not applicable to the office of any moonſiff or ſudder ameen, who may be employed in the ſettlements of Chandernagore, Chinſurah, and Serampore.

APPENDIX.

No. 1.

FORM *of* SUNNUD *to be granted to perſons appointed to the office of* MOONSIFF.

"I, A. B. judge of the zillah or city of   in virtue of the powers veſted in me by Regulation XXIII, 1814, do hereby appoint you C. D. to the office of moonſiff of   with the ſame local juriſdiction as that of the police juriſdiction of   you are to hold your cutcherry at   and are to affix this ſunnud or a copy of it, duly authenticated, in ſome conſpicuous place in the cutcherry. Under the rules now in force, you will receive the remuneration to which you may be entitled for the trial and deciſion of ſuits from the zillah or city court; and you are not entitled to receive any inſtitution or other fee, any depoſit or ſum of money, or valuable conſideration from any parties, or other perſons, on account of the inſtitution or trial, the proceedings, proceſs, or deciſion of any ſuit before you. You are not empowered to take or demand any ſecurity, to levy any fine, or to execute any decree, without the previous ſanction and orders of the zillah or city court in each inſtance. You are to hear and determine all ſuits cognizable by you, and to execute all other duties entruſted to you in your capacity of moonſiff, in ſtrict conformity with the rules preſcribed in the regulations now in force, or which may hereafter be enacted."

FORM *of* OATH *to be adminiſtered to perſons appointed to the office of* MOONSIFF.

" I A. B. appointed to the office of moonſiff of
do ſolemnly ſwear, that in the trial and determination of all ſuits, which may come under my cognizance, and in the execution of all the other duties of my office, I will act according to the beſt of my abilities and judgment, without partiality, favor or affection; that I will not directly or indirectly receive, or knowingly allow any other perſon to receive, any money, effects or property, on account of any ſuit that may come before me for deciſion, or on account of any public duty which I may have to execute. I will ſtrictly adhere to all the rules preſcribed for my guidance, and I will in all reſpects, truly and faithfully execute the truſt repoſed in me."

FORM *of* SUNNUD *to be granted to perſons who may be appointed to officiate as vakeels in the cutcherries of the* MOONSIEFS.

I A. B. judge of the zillah or city of do hereby appoint you C. D. to act in the capacity of vakeel in the cutcherry of the moonſiff of   You will not be liable to be removed from your office, unleſs the judge of the diſtrict or city of   in conſequence of miſconduct on your part, or of there being no longer any neceſſity for your being employed in the capacity of vakeel, ſhall deem it proper to recal and cancel this ſunnud."

No. 4.

FORM *of a* REGISTER BOOK *of* SUITS *(instituted before* MOONSIFFS) *(or referred to* SUDDER AUMEENS).

Number of the Suit.	*Date of its institution (or reference)*	*Names of the parties.*	*Amount and subject of the claim.*	*Date and abstract of the final Order.*	*Date on which Copies of the Decree were furnished or tendered to the parties*
No. 1.	2d of February 1815.	Ramchund Paul, *vs.* Paunchoo Gope.	Debt on Bond 37 Rs.	20th of March 1815, Decreed in favor of the Plaintiff 33 Rs. original, and 2 Rs. interest. Defendant to pay costs 4 Rs. 6 Ans. Total 39 Rs. 6 Ans.	24th of March 1815 One Copy furnished to the Plaintiff himself, and another to the Vakeel of the Defendant.
No. 2.	2d of February	Khodabuksh, *vs.* Meerun.	Debt of 7 Rupees for value of Rice furnished to Defendant.	Adjusted by Razeenameh. 10th of February.	
No. 3	3d of February	Poorun Singh, *vs.* Mohun Chassa.	Arrears of Rent 14 Rupees.	April 1st. Decreed for 7 Rupees parties to pay their own Costs.	April 7th. Plaintiff absent—Copy of the Decree furnished to the Defendant.

No. 5.

FORM *of* MONTHLY REPORT *of* CAUSES *decided by* A. B. MOONSIFF *or* SUDDER AMEEN *of* *in the Month of* *correſponding with the Month of*

Number of the Suit on the Regiſter Book, and date of its inſtitution (or reference).	*Names of the parties.*	*Subſtance of the Suit.*	*Date and ſubſtance of the Deciſion.*	*Value of Stamp Paper on which the Plaint was written.*
No. 6. 4th February 1815.	Ramchurn, *vrs.* Radanath.	Debt of 20 Rupees.	Decreed on the 31 April, for 20 Rupees, and 2 Rupees 8 As. costs.	2 Rupees.

No. 6.

HALF YEARLY REPORT *of* CAUSES *depending before* A. B. MOONSIFF *or* SUDDER AMEEN *of* *on the 1ſt of July* 1815.

Number of the cauſe on the Regiſter Book and date of its inſtitution [or reference]	*Names of the parties.*	*Subſtance of the Suit.*	*Remarks explanatory of the Cauſe remaining undecided.*
No. 98. 4th of May 1815.	Ramchurn, *vrs.* Gungaram.	30 Rupees Balance of Accounts.	Suspended for the evidence of Witnesses on the part of the defendant, who have been summoned

No 7.

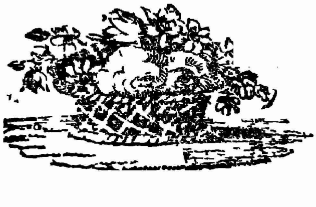
FORM *of* SUNNUD *to be granted to perſons appointed to the office of* SUDDER AMEENS.

" I, A. B. judge of the zillah or city of in virtue of the powers veſted in me by Regulation XXIII, 1814, do hereby appoint you C. D. to the office of ſudder ameen of the zillah or city of . You are to hold your cutcherry at , and are to affix this ſunnud, or a copy of it, duly authenticated, in ſome conſpicuous place in the cutcherry. You will receive the remuneration to which you may be entitled for the trial and deciſion of ſuits, from the zillah or city court; and you are not entitled to receive any inſtitution or other fee, any depoſit or ſum of money or valuable conſideration from any parties or other perſons on account of the inſtitution or trial, the proceedings, proceſs, or deciſion of any ſuits before you. You are not empowered to take or demand any ſecurity, to levy any fine, or to execute any decree without the previous ſanction and orders of the zillah or city court in each inſtance. You are to hear and determine all ſuits cognizable by you, and to execute all other duties entruſted to you in your capacity of ſudder ameen, in ſtrict conformity with the rules preſcribed in the regulations now in force, or which may hereafter be enacted."

No. 8.

FORM *of* OATH *to be adminiſtered to perſons appointed to the office of* SUDDER AMEEN.*

" I, A. B. appointed to the office of ſudder ameen of the zillah or city   do ſolemnly ſwear, that in the trial and determination of all ſuits which may come under my cognizance, and in the execution of all the other duties of my office, I will act according to the beſt of my abilities and judgment, without partiality, favor, or affection; that I will not directly or indirectly receive, or knowingly allow any other perſon to receive, any money, effects, or property, on account of any ſuit that may come before me for deciſion, or on account of any public duty which I may have to execute; I will ſtrictly adhere to all the rules preſcribed for my guidance; and I will in all reſpects truly and faithfully execute the truſt repoſed in me."



A. D. 1814. REGULATION XXIV.

A REGULATION *for aboliſhing the office of aſſiſtant judge of the zillah and city courts, and for making certain modifications in the conſtitution and juriſdiction of thoſe courts*—Passed *by the Vice Preſident in Council, on the 29th of November* 1814*; correſponding with the 15th Aughun* 1221 *Bengal era; the 2d Aughun* 1222 *Fuſſily; the 16th Aughun* 1222 *Willaity; the 2d Aughun* 1871 *Sumbut; and the 16th Zeheija* 1229 *Higeree.*

Preamble.

WHEREAS it has been deemed expedient to aboliſh the office of aſſiſtant judge, and to make certain modifications in the conſtitution and juriſdiction of the zillah and city courts: and whereas it will contribute to the public convenience to provide for the occaſional appointment of two or more regiſters of a zillah or city court, and to authoriſe the eſtabliſhment of the regiſter's courts at a place or places not being the fixed ſtation of the judge and magiſtrate: and whereas the deciſion of civil ſuits will be expedited by veſting one or more of the regiſters of a zillah or city court, with certain ſpecial powers in the trial and determination of regular and ſummary civil ſuits, in caſes in which ſuch an arrangement may be deemed requiſite; the following rules are hereby enacted, to be in force from the 1ſt of February 1815, throughout the territories immediately dependant on the preſidency of Fort William.

Rules reſcinded.

II. Sections II, III, IV, V, VI, VII, VIII, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, and XXVII, Regulation XLIX, 1803, and the correſponding rules contained in Clauſes Fifth, Sixth, and Seventh, Section VI, in Sections XI, XII, and XVI, and in Clauſes Second, Third, and Fourth, of Section XVII, Regulation VIII, 1805, are hereby reſcinded.

The offic of aſſiſtant judge aboliſhed.

III. From and after the 1ſt of February 1815, the office of aſſiſtant judge in the zillah and city courts ſhall be aboliſhed. An [illegible] by the over-aſſeſsment, and in the event of [illegible] the ting to diſcharge the amount to cauſe it to be levied or collector by the proceſs preſcribed for the recovery of a city judges, or ſhall be referred for trial and deciſion to the regiſters, or ſudder ameens, in caſes in which ſuch references may be authoriſed by the regulations. The allowances granted to aſſiſtant judges, and to the native officers on their eſtabliſhments, ſhall ceaſe and determine from the 1ſt of February 1815.

Rules regarding the appointment of regiſters of the zillah and city courts.

IV. No perſon ſhall be hereafter deemed qualified to hold the office of regiſter of a zillah and city court, or of a provincial court, or of regiſter or deputy regiſter of the Sudder Dewanny Adawlut, unleſs he ſhall have obtained a certificate from the Council of the College of Fort William, ſignifying, that he is duly qualified to enter upon the public ſervice, in conformity with the ſtatutes of the College.

Rules regarding the appointment of judges and magiſtrates of the zillah and city courts.

V. No perſon ſhall be hereafter deemed qualified to be appointed to the ſituation of judge and magiſtrate of any zillah or city court, unleſs he ſhall have previouſly officiated as aſſiſtant judge or regiſter, or as joint or aſſiſtant magiſtrate, for a period not being leſs than three years; or unleſs he ſhall have been employed in other ſituations in the judicial department, or in any offices impoſing the diſcharge of judicial functions, either of a criminal or civil nature, for a total period not being leſs than three years.

Juriſdiction of zillah or city judges in the trial of original regular ſuits.

VI. *Firſt.* The zillah and city judges are authorized to try and determine original civil ſuits depending in their courts, which may have been heretofore inſtituted, in conformity with the regulations. They are alſo authorized to try and determine any civil ſuits, which may be hereafter regularly inſtituted in their courts, provided the value or amount of the claim, calculated according to the proviſions of Section XIV, Regulation I, 1814, ſhall not exceed five thouſand ſicca rupees.

And in the trial of appeals.

Second. An appeal ſhall lie to the zillah or city judge from all deciſions which may be paſſed on the trial of original ſuits by the moonſiffs, ſudder ameens, and regiſters of each zillah or city juriſdiction; provided however, that this rule ſhall not be conſtrued to extend to any ſuits, which may be tried and decided by a regiſter under the proviſions of Clauſe Sixth, Section IX, of this regulation.

Proviſo.

And in the trial of ſecond or ſpecial appeals.

Third. The zillah and city judges are further authorized to admit a ſecond or ſpecial appeal, from the judgments paſſed by regiſters in appeals referred to them under Clauſe Fourth, Section IX, of this regulation, as well as from the judgments of ſudder ameens, on appeals referred to them from the original deciſions of moonſiffs; in receiving and trying ſuch ſpecial appeals, the zillah and city judges are to be guided by the rules contained in Section II, of Regulation XXVI, 1814.

Zillah and city judges prohibited from referring certain ſuits to the ſudder ameens.

VII. *Firſt.* From and after the 1ſt of February 1815, the zillah and city judges are prohibited from referring to a ſudder ameen any ſuit, in which a Britiſh European ſubject, or an European foreigner, or an American, may be a party ; this rule however is not intended to preclude the ſudder ameens from trying and deciding any ſuits of the above deſcription, which may have been referred to them previouſly to the 1ſt of February 1815.

But may refer all other original regular ſuits not exceeding 150 Sa. Rs. in amount to the ſudder ameens.

Second. With the preceding exception, the zillah and city judges are authorized to refer to the ſudder ameens for trial and deciſion in the firſt inſtance, any depending civil ſuits, in which the value or amount of the claim, calculated according to the proviſions of Section XIV, Regulation I, 1814, may not exceed one hundred and fifty ſicca rupees. Such ſuits ſhall be tried and determined by the ſudder ameens in conformity with the proviſions of Regulation XXIII, 1814.

An appeal ſhall lie to the zillah or city judge from deciſions of ſudder ameens in ſuch ſuits.

Third. From all deciſions paſſed by a ſudder ameen on ſuch original ſuits, an appeal ſhall lie to the zillah and city judge, under the general rules in force regarding the admiſſion of appeals ; and the deciſion of the judge on ſuch appeal ſhall be final, unleſs the provincial court ſhall ſee ſufficient cauſe for admitting a ſpecial appeal under the rules and reſtrictions contained in Section II, of Regulation XXVI, 1814.

Appeals from the judgments of moonſiffs may be referred to the ſudder ameens.

Fourth. The zillah and city judges are further empowered to refer to the ſudder ameens any appeals, which may be admitted from the original deciſions of moonſiffs. In the trial of ſuch appealed ſuits, the ſudder ameens ſhall be guided by the proviſions of Section LXXV, Regulation XXIII, 1814, and their judgments upon them ſhall be final, unleſs the zillah and city judges ſhall ſee ſufficient reaſon to admit a ſpecial appeal, under the rules and reſtrictions contained in Section II, of Regulation XXVI, 1814.

What ſuits may be referred to regiſters.

VIII. *Firſt.* The judges of the zillah and city courts are authorized to refer to their regiſters for trial and deciſion in the firſt inſtance, any original depending ſuits, in which the value or amount of the claim, calculated according to the proviſions of Section XIV, Regulation I, 1814, may not exceed five hundred rupees. In the trial of all cauſes referred to the regiſters of the zillah and city courts under this clauſe, they ſhall be guided by the general proviſions in force for the trial of civil ſuits in the zillah and city courts.

Second. On all ſuits referred to regiſters under the preceding clauſe, or under the regulations heretofore in force, which may be decided by them ſubſequently to the 1ſt of February 1815, the regiſters ſhall be entitled to receive one moiety of the inſtitution fee, or of the amount of the ſtamp duty, ſubſtituted for ſuch inſtitution fee by Regulation I, 1814.

What fees ſhall be paid to regiſters on deciding ſuch ſuits.

Third. Provided however, that the regiſters ſhall not be entitled to receive any fee or remuneration on cauſes, which may be diſmiſſed by them from the non-attendance of the plaintiff, or upon any other ground of nonſuit or default, without a determination on the merits of the ſuit.

Regiſters not entitled to any fee on nonſuits.

Fourth. Provided further, that in ſuits depending before a regiſter, which may be adjuſted by razeenamah, previouſly to the pleadings being completed and read, the regiſter ſhall not be entitled to any fee; but the whole of the inſtitution fee, or of the ſtamp duty ſubſtituted for ſuch inſtitution fee by Regulation I, 1814, ſhall be returned to the party who may have paid the ſame, or to his legal repreſentative.

Regiſters not entitled to receive any fee on caſes adjuſted by razeenamah before the pleadings ſhall have been read.

Fifth. If the razeenamah ſhall be filed after the pleadings have been completed and read, a moiety only of the inſtitution fee, or of the ſtamp duty ſubſtituted for ſuch inſtitution fee, ſhall be returned to the party who may have paid the ſame, or to his legal repreſentative; and the regiſter ſhall be entitled to receive the remaining moiety of ſuch inſtitution fee or ſtamp duty.

But ſhall receive a certain fee when the razeenamah ſhall be filed after the pleadings may have been read.

Sixth. An appeal ſhall lie to the zillah or city judges from all deciſions paſſed by regiſters in ſuits referred to them under this ſection, provided the appeal be preferred in conformity with the general rules and conditions preſcribed for the admiſſion of ſuch appeals.

An appeal ſhall lie to the judges from deciſions paſſed by regiſters in ſuits referred to them under this ſection.

Seventh.

And the deciſion of the judge on ſuch appeals ſhall be final.

Seventh. In lieu of the rules contained in Section VIII, Regulation XLIX, 1803, it is hereby declared, that the decrees which ma be paſſed by the zillah and city judges on ſuch appeals ſubſequently to the 1ſt of February 1815 ſhall be final, whatever may be the amount adjudged or diſallowed by them, unleſs the provincial court ſhould ſee ſufficient reaſon for admitting a ſpecial appeal from ſuch deciſions under the proviſions of Section II, Regulation XXVI, 1814.

Exception.

Regiſters may be inveſted with further additional powers in the trial of ſuits.

IX. *Firſt.* Excluſively of the ordinary juriſdiction of regiſters of the zillah and city courts, as explained in the preceding ſection, the Governor General in Council ſhall be deemed competent to inveſt the regiſter of any zillah or city court with ſpecial additional powers in the trial and deciſion of regular civil ſuits, under the following rules.

The Sudder Dewanny Adawlut to report to government when ſuch further powers may be requiſite.

Second. Whenever the accumulation of civil ſuits, or the arrears of buſineſs depending in any zillah or city court, may render it impracticable for the judge of ſuch Court, to try and determine the ſuits depending before him with ſufficient promptitude and diſpatch, and the court of Sudder Dewanny Adawlut may be of opinion, either in conſequence of a report from the judge of ſuch zillah or city, or from any other information before them, that the regiſter of ſuch zillah or city court is duly qualified by his experience, induſtry, and abilities, to be entruſted with the whole or any part of the ſpecial powers deſcribed in clauſes fourth and ſixth of this ſection, the Sudder Dewanny Adawlut ſhall communicate their ſentiments on the ſubject to government, accompanied by a ſtatement of the number of civil ſuits of every deſcription depending reſpectively before the judge and the regiſter of ſuch zillah or city court.

Mode of granting ſuch powers to a regiſter.

Third. On the receipt of ſuch report from the Sudder Dewanny adawlut, or upon any other information before government, it ſhall be competent to the Governor General in Council to inveſt ſuch

regiſter

[illegible]ſter with the whole or any part of the ſpecial powers deſcribed [illegible] following clauſes of this ſection, and information ſhall be [illegible]municated in every inſtance in which ſuch powers may be [illegible]ed in a regiſter, to the Sudder Dewanny Adawlut, to the provincial court of the diviſion, and to the zillah or city judge.

Appeals from the deciſions of moonſiffs and ſudder ameens may be referred to regiſters, whoſe deciſions on them ſhall be final.

Exception.

Fourth. The regiſter may be ſpecially empowered to try and determine any depending ſuits in appeal from the original deciſions of moonſiffs or of ſudder ameens, which the zillah or city judge may think proper to refer to him; the deciſion of the regiſter on ſuch appeals ſhall be final, unleſs the zillah or city judge ſhall ſee ſufficient reaſon for admitting a ſecond or ſpecial appeal under the proviſions contained in Section II, Regulation XXVI, 1814.

What fees the regiſter ſhall receive for deciding ſuch ſuits.

Fifth. On ſuits, which may be referred to a regiſter under the foregoing clauſe, and which may be decided by him on an inveſtigation of the merits, the regiſter ſhall be entitled to receive the full amount or value of the inſtitution fee, or of the ſtamp duty ſubſtituted for ſuch fee by Regulation I, 1814, ſubject to the proviſions contained in Clauſes Third, Fourth and Fifth, of the preceding ſection.

Original ſuits exceeding 500 rupees in amount may be referred to regiſters.

Sixth. The regiſter may be further ſpecially empowered to try and decide any ſuits exceeding five hundred rupees in value or amount originally inſtituted in the zillah or city courts, which the judge of ſuch court may think proper to refer to him. In the trial of all cauſes, which may be referred to a regiſter under this clauſe or under Clauſe Fourth of this Section, the regiſter is to be guided by the rules, which are preſcribed for the trial of ſimilar cauſes before the judges of the zillah and city courts.

What fees the regiſter ſhall be entitled to receive on deciding ſuch ſuits on an inveſtigation of the merits.

Seventh. On every ſuit, which may be referred to a regiſter under the preceding clauſe, and which may be decided by him on an inveſtigation of the merits, the regiſter ſhall be entitled to receive a fee of ſixteen rupees; but the regiſter ſhall not be entitled to receive any fee or remuneration on ſuch ſuits, which may be diſmiſſed from the non-attendance of the plaintiff or upon any other ground of nonſuit, or default, without a determination on the merits of the ſuit.

But ſhall receive no fee in caſes adjuſted by razeenamah before the pleadings may have been read.

Eighth. When a ſuit referred to a regiſter under clauſe ſixth of this ſection may be adjuſted by razeenamah previouſly to the pleadings being completed and read, the regiſter ſhall not be entitled to receive any fee, but the whole of the inſtitution fee, or of the ſtamp duty ſubſtituted for ſuch fee, ſhall be returned to the party who may have paid the ſame, or to his legal repreſentative.

But ſhall receive eight rupees when the razeenamah may be filed after the pleadings ſhall have been read.

Ninth. If the razeenamah ſhall be filed after the pleadings are completed and read, a moiety of the inſtitution fee or of the ſtamp duty ſubſtituted for ſuch fee ſhall be returned to the party who may have paid the ſame, or to his legal repreſentative, and the regiſter ſhall be entitled to receive a fee of eight rupees from the amount of the remaining moiety.

An appeal ſhall lie to the provincial court from deciſions paſſed by regiſters in ſuch ſuits.

Tenth. From all deciſions paſſed by a regiſter on ſuits, referred to him under clauſe ſixth of this ſection, an appeal ſhall lie to the provincial court in the ſame manner, and under the ſame proviſions, as if ſuch ſuits had been tried and determined in the firſt inſtance by the zillah or city judge.

Proceſſes and communications to a regiſter from a provincial court how to be iſſued.

Eleventh. In caſes, in which an appeal may lie to the provincial court from the original deciſion of a regiſter under clauſe ſixth of this ſection, as well as in all caſes in which a provincial court may have occaſion to iſſue proceſs regarding cauſes decided by or depending before a regiſter, ſuch proceſs ſhall be tranſmitted to the judge of the zillah or city, who ſhall forward the ſame to the regiſter; or ſhall himſelf comply with the exigency of it, if from abſence or any other ſufficient cauſe the regiſter may be prevented from ſo doing. In like manner all returns and communications from a regiſter to a provincial court, or to any other court, authority, or office, ſhall be made through the judge of the zillah or city in which ſuch regiſter may be employed.

Special powers not to be exerciſed by regiſters without the previous ſanction of government, and ſuch powers may at any time be revoked by the Governor General in Council.

Twelfth. Upon the death, removal or reſignation of any regiſter, who may have been inveſted with ſpecial powers under the proviſions of this regulation, the perſon ſucceeding to the office of regiſter, ſhall in no caſe be entitled to exerciſe ſuch ſpecial powers without the previous ſanction of the Governor General in Council; and it ſhall at all times be competent to the Governor General in Council, to revoke the ſpecial powers, which may have been entruſted to the regiſter of a zillah or city court under this ſection, either in conſequence of the arrears of depending buſineſs having been ſufficiently reduced, or for any other cauſe, which in the opinion of the Governor General in Council may render the adoption of that meaſure expedient.

Judges may recal ſuits referred to regiſters or to ſudder ameens.

X. The judges of the zillah and city courts are at all times authorized to recal from the regiſters, and from the ſudder ameens, any depending ſuits, which may have been referred to them under the preſent or former regulations, and which for the more ſpeedy adminiſtration of juſtice, or for any other reaſon, the zillah or city judges may deem it proper to determine themſelves in the firſt inſtance, or to refer to any other competent authority.

Powers veſted in the zillah and city judges with regard to the mode of ſigning proceſſes and examining witneſſes.

XI. *Firſt.* The judges of the zillah and city courts are authorized to employ their regiſters and aſſiſtants in ſigning and iſſuing any proceſs of court, to which the ſignature of the judge may not be ſpecially required by any regulation: They are further authorized to employ their regiſters and aſſiſtants, or any of their principal native officers, in taking down the depoſitions of witneſſes, whom they may not have time to examine vivâ voce themſelves; provided, that ſuch depoſitions be taken in open court in the preſence of the parties, or their authorized pleaders, whoſe atteſtations ſhall be ſubſcribed to all depoſitions ſo taken in teſtimony of their having been preſent; and if any queſtion or diſpute ſhall ariſe in taking the depoſition of a witneſs ſo examined, the judge ſhall, as ſoon as may be practicable, enquire into the queſtion, and ſhall paſs ſuch order as may appear to him to be proper.

And in regiſters.

Second. The regiſters of the zillah and city courts may in like manner cauſe the depoſitions of witneſſes, in ſuits referred to them, to be taken before their aſſiſtants, or before any of their principal native officers, whenever the adoption of that meaſure may appear to be indiſpenſably neceſſary for the ſpeedy determination of ſuch ſuits.

Rules requiring regiſters to hold their courts at the ſudder ſtation of the zillah or city modified.

XII. *Firſt.* Such parts of the rules in force as require that the regiſters of the zillah and city courts ſhall hold their ſittings for the trial of civil ſuits referred to them in the court houſe of the zillah or city dewanny adawlut, and that all proceſs, which it may be neceſſary to iſſue in ſuch ſuits, ſhall be iſſued under the ſeal of the zillah or city court, and be executed by the officers of that court, are hereby declared ſubject to the following modifications.

Additional regiſters may be appointed in a zillah or city juriſdiction.

Second. It ſhall be competent to the Governor General in Council to appoint one or more regiſters in any zillah or city court, in addition to the perſon holding that office under the eſtabliſhed conſtitution of the courts. Such additional regiſters ſhall be denominated ſecond, or third regiſter, and ſhall poſſeſs the ſame powers and perform the ſame duties as the regiſters to the zillah and city courts under the regulations in force, and the following proviſions of this ſection.

Regiſters may be ſtationed at other places than at the fixed ſtation of the zillah or city court.

Third. It ſhall further be competent to the Governor General in Council to ſtation the regiſter or regiſters at any place or places within the juriſdiction of a zillah or city court of dewanny adawlut, and whenever a regiſter may be ſtationed at any place, not being the ſudder ſtation of the zillah or city court, the ſittings and proceedings of ſuch regiſters ſhall be held in a convenient and open court room to be provided for that purpoſe at ſuch place as government may direct.

Fourth.

Regiſter's proceſs how to be iſſued in ſuch caſes.

Fourth. When a regiſter may be ſtationed at any place, not being the ſtation of the zillah or city dewanny adawlut, all proceſs, which it may be neceſſary to iſſue in ſuits referred to, or in matters cognizable by ſuch regiſter, ſhall be iſſued under the official ſeal and ſignature of the regiſter, and ſhall be executed by the officers ſpecially appointed for that purpoſe, in concurrence with the officers of the zillah or city court in caſes, in which their aid may be requiſite.

Penalty for diſobedience to the proceſs of a regiſter in ſuch caſes.

Fifth. The judges of the zillah or city courts, and the public officers acting under them, are required to aid and ſupport the execution of any proceſs, which may be iſſued by the regiſters in the mode preſcribed; and any diſobedience or reſiſtance to proceſs ſo iſſued is hereby declared to be liable to the ſame penalties, as diſobedience or reſiſtance to the proceſs of a zillah or city court.

What powers ſhall be veſted in a Regiſter ſo ſtationed.

Sixth. The judicial powers of a regiſter, who may be ſtationed at a place not being the ſtation of the zillah or city dewanny adawlut under the proviſions of this ſection, ſhall be the ſame as thoſe of the regiſters employed at the ſtation of the zillah or city courts, viz. to try and decide according to the regulations in force any ſuits or matters, which may be referred to them by the zillah or city judges, and which may be cognizable by ſuch regiſters, either in their ordinary juriſdiction, or under the ſpecial powers with which they may be veſted in conformity with Section IX, of this regulation.

Proviſo with regard to ſummary ſuits.

Seventh. Provided however, that it ſhall be competent to the Governor General in Council, to inveſt any regiſter, who may be ſtationed under the proviſions of this regulation at a place not being the ſtation of the zillah or city dewanny adawlut, with original juriſdiction within local defined limits, in the cognizance and trial of ſummary ſuits for the recovery of arrears of revenue, and in all other caſes in which a ſummary action is allowed by the regulations in for[illegible]

Rules for receiving and trying ſuch ſummary ſuits.

Eighth. In receiving and trying ſuch ſummary ſuits, the regiſter ſhall poſſeſs the ſame authority, and ſhall proceed in the ſame manner, as if the caſe had been referred to him by the zillah or city judge. The deciſions of the regiſter on ſuch ſuits ſhall be appealable or not, according to the eſtabliſhed rules for appeals, which may be applicable to the caſe.

What regular ſuits ſhall be generally referred to regiſters ſtationed at any other place than the ſudder ſtation of the zillah or city.

Ninth. In referring regular civil ſuits or appeals for trial and deciſion to a regiſter, ſtationed at any other place than the fixed ſtation of the zillah or city dewanny adawlut, and who may alſo have been entruſted with a local juriſdiction as joint or aſſiſtant magiſtrate, the judge ſhall generally ſelect, in preference to others, depending ſuits or appeals, in which the cauſe of action may have ariſen, or the parties may reſide, within the local juriſdiction entruſted to ſuch regiſter in his capacity of joint or aſſiſtant magiſtrate.

Reports to be furniſhed by regiſters ſo ſtationed.

Tenth. The monthly, half yearly, or other periodical reports, which are preſcribed by the regulations ſhall be furniſhed by ſuch regiſters to the judges of the zillah or city courts, in whoſe juriſdiction they may be employed, in order that ſuch reports may be incorporated with thoſe which the zillah and city judges are required to furniſh to the provincial courts and to the ſudder dewanny adawlut.

Through what channel the correſpondence of ſuch regiſters ſhall be conducted.

Eleventh. All official correſpondence or communications addreſſed by such regiſters to the courts of juſtice or to other public authorities, ſhall be tranſmitted through the channel of the reſpective judges of the zillah or city courts, except in inſtances, which may appear to require immediate diſpatch. But in all caſes in which ſuch regiſters may find it neceſſary to tranſmit any official communication to a court or other public authority, in any other mode than through the zillah or city judge, they ſhall forward a copy of ſuch communication with as little delay as poſſible for the information of the zillah or city judge.

Inſtructions to be furniſhed by the Sudder Dewanny Adawlut in caſes not provided for by regulations.

Twelfth. In all matters of form or practice, relative to the proceedings of a regiſter ſtationed at any place not being the fixed ſtation of the zillah or city court, under the foregoing proviſions, for which no expreſs rule may be preſcribed in this or any other regulation, the regiſter ſhall be guided by the inſtructions of the court of Sudder Dewanny Adawlut.

BENGAL SECRETARIAT LIBRARY

A.D. 1814. REGULATION XXV.

A REGULATION *for modifying the conſtitution and juriſdiction of the Sudder Dewanny Adawlut, and of the provincial courts, for expediting the trial of civil cauſes in thoſe courts, and for defining more fully the powers of ſingle judges holding the ſittings of thoſe courts, or of the Nizamut Adawlut, and courts of circuit.*—PASSED *by the Vice Preſident in Council, on the 29th of November 1814; correſponding with the 15th Aughun 1221 Bengal era; the 2d Aughun 1222 Fuſſily; the 16th Aughun 1222 Willaity; the 2d Aughun 1871 Sumbut; and the 16th Zeheija 1229 Higeree.*

WHEREAS it is expedient, that ſuch perſons only as may have been previouſly employed during ſufficient periods in the diſcharge of judicial functions ſhould be hereafter appointed to the office of judge in the Sudder Dewanny and Nizamut Adawlut, and in the provincial courts and courts of circuit, and whereas it is requiſite, with a view to expedite the deciſion of civil cauſes, to make Preamble.

make certain modifications in the exiſting rules regarding the juriſdiction of thoſe courts in the trial of original ſuits and appeals; and whereas it has become neceſſary, for the purpoſe of removing certain doubts, which have ariſen regarding the conſtruction of Sections II and VI, Regulation XIII, 1808, to modify and explain the rules contained in thoſe ſections; and to make further proviſion for the guidance of the Sudder Dewanny Adawlut, and Nizamut Adawlut, and of the provincial courts and courts of circuit, when a difference of opinion may ariſe among the judges of thoſe courts, and to define more fully the powers to be exerciſed and the duties to be performed by ſingle judges of thoſe courts, the following rules are hereby enacted to be in force from the 1ſt of February 1815, throughout the territories immediately dependent upon the Preſidency of Fort William.

Rules regarding the appointment of judges of the provincial courts.

II. From and after the 1ſt February 1815, no perſon ſhall be deemed qualified to be appointed to the office of a judge of a provincial court or court of circuit, unleſs he ſhall have previouſly officiated as judge or magiſtrate of a zillah or city court for a period not being leſs than three years, or unleſs he ſhall have been previouſly employed in the judicial department, or in offices requiring the diſcharge of judicial functions, whether of a criminal, or civil nature, for a total period not being leſs than ſix years.

Cases in which ſuits exceeding 1000 rupees in amount may be transferred from the zillah and city courts to the provincial courts.

III. *Firſt.* All original regular civil ſuits, in which the value or amount of the claim, calculated according to the proviſions of Section XIV, Regulation I, 1814, may not exceed five thouſand rupees, ſhall be inſtituted and tried as heretofore in the zillah and city courts, but if it ſhall at any time appear, that from the preſſure of buſineſs in any zillah or city court, ſuits exceeding one thouſand rupees in value or amount can be more conveniently and expeditiouſly tried in the firſt inſtance by the provincial court of the diviſion, than by the zillah or city court, before which they may be depending; it ſhall be competent to the [illegible]der Dewanny Adawlut to order the transfer of all or any [illegible] to the ſaid provincial court.

[illegible]d.

Second. In the transfer and trial of ſuch ſuits, the provincial courts ſhall be guided by the ſame proviſions, as are preſcribed for their guidance in the transfer and trial of ſuits exceeding five thouſand rupees in value or amount.

Rules regarding the transfer and trial of ſuch ſuits.

Third. An appeal ſhall lie to the provincial court from the deciſions paſſed by the zillah and city judges on all regular civil ſuits tried and determined by them in the firſt inſtance, as well as from the deciſions which may be paſſed by regiſters under Clauſe Sixth, Section IX; Regulation XXIV, 1814, in ſuits exceeding five hundred rupees in value or amount.

An appeal to lie to the provincial court in all ſuits tried in the firſt inſtance, by zillah and city judges and in ſuits tried by regiſters exceeding 500 rupees in amount.

Fourth. The provincial courts are further empowered to admit a ſecond or ſpecial appeal from deciſions paſſed by the zillah and city judges, on regular appeals from the original judgments of regiſters, ſudder ameens and moonſiffs, ſuch ſpecial appeals are to be admitted and tried under the rules and reſtrictions contained in Section II, Regulation XXVI, 1814.

In what caſes a ſpecial appeal may be admitted by provincial courts, and how they are to be tried.

Fifth. Nothing in this regulation ſhall be conſtrued to prohibit the provincial courts from applying for permiſſion to review their own judgments or from admitting ſummary appeals in the caſes provided for by Clauſe Third, Section III, Regulation XXVI, 1814.

Proviſions regarding reviews and ſummary appeals.

IV. From and after the 1ſt of February 1815; no perſon ſhall be deemed qualified to be appointed to the office of a judge of the Sudder Dewanny or Nizamut Adawlut, unleſs he ſhall have previouſly officiated as judge of a provincial court of appeal, or of a court of circuit, for a period not being leſs than three years; or unleſs he ſhall have been previouſly employed in the judicial department, or in offices requiring the diſcharge of judicial functions, whether of a criminal or civil nature, for a total period not being leſs than nine years.

Rules regarding the appointment of judges of the Sudder Dewanny and Nizamut Adawlut.

The Sudder Dewanny Adawlut authorized to direct the tranſfer of ſuits exceeding 50,000 current rupees in value from the provincial courts to the Sudder Dewanny Adaw-

V. *Firſt.* All original regular ſuits in which the value or amount of the claim, calculated according to the proviſions of Section XIV, Regulation I, 1814, may exceed five thouſand ſicca rupees, ſhall be inſtituted and tried as heretofore in the provincial courts, but if it ſhall at any time appear to the Sudder Dewanny Adawlut, that from the preſſure of buſineſs in any of the provincial courts, ſuits amounting to fifty thouſand current rupees (or 43,103 ſicca rupees) being the amount fixed for appeals to the King in Council, can be more conveniently or expeditiouſly tried in the firſt inſtance, by the Sudder Dewanny Adawlut, than by the provincial court before whom they may be depending, it ſhall be competent to the Sudder Dewanny Adawlut to order the transfer of all or any of ſuch ſuits from the provincial courts to the Sudder Dewanny Adawlut. In the transfer and trial of ſuch ſuits the Sudder Dewanny Adawlut, ſhall be guided by the ſame proviſions as are preſcribed for the conduct of the provincial courts regarding the tranſfer and trial of original ſuits exceeding five thouſand rupees in value, depending in the zillah and city courts.

An appeal to lie to the Sudder Dewanny Adawlut in all ſuits tried in the firſt inſtance, by the provincial courts.

Second. An appeal ſhall lie to the Sudder Dewanny Adawlut from the judgments paſſed by the provincial courts, in all regular civil ſuits, which may be tried and determined in the firſt inſtance, by thoſe courts, under the rules heretofore in force, or in conformity with Section III, of this regulation.

In what caſes a ſpecial appeal may be admitted by the Sudder Dewanny Adawlut.

Third. The Sudder Dewanny Adawlut is further empowered to admit a ſecond or ſpecial appeal from the judgments paſſed by provincial courts, on regular appeals admitted by them, from original deciſions of zillah and city judges and aſſiſtant judges, or from the original deciſions of regiſters paſſed under the proviſions of Clauſe Sixth, Section IX, Regulation XXIV, 1814.

Fourth. In receiving and trying ſuch ſpecial appeals, the Sudder Dewanny Adawlut is to be guided by the rules contained in Section II, Regulation XXVI, 1814.

Fifth.

Proviſions regarding reviews and ſummary appeals.

Fifth. Nothing contained in this regulation ſhall be conſtrued to preclude the Sudder Dewanny Adawlut from authorizing the ſeveral courts of civil judicature to reviſe their own judgments, or to preclude the Sudder Dewanny Adawlut from admitting a ſummary appeal under the proviſions contained in Section III, Regulation XXVI, 1814.

In what caſes ſeparate ſittings of the provincial courts may be held before one or more judges of thoſe courts.

VI. In addition to the proviſion made by Clauſe Second, of Section II, Regulation XIII, 1810, for the regular ſittings of the provincial courts being held before a ſingle judge, whenever from the abſence, or indiſpoſition, of one or more of the judges of a provincial court, or any other unavoidable cauſe, the regular ſittings of a provincial court cannot be held before two or more judges of ſuch court, it is hereby provided, that whenever from the number of original cauſes and appeals, depending before a provincial court, it may appear requiſite, for the ſpeedy trial and deciſion of ſuch cauſes and appeals, or for the general diſpatch of buſineſs depending before the court, that ſeparate ſittings of the court ſhould be held at the ſame time, before one or more judges reſpectively, and the number of judges preſent at the ſtation may admit of ſuch ſeparate ſittings being held, it ſhall be competent to the judges of the provincial courts to hold the ſame, and to paſs orders or judgments, in conformity with the regulations, ſubject to the ſame reſtrictions when the ſitting may be held before a ſingle judge, as are preſcribed by the rules in force, with reſpect to ſingle judges of the provincial courts holding ſittings of thoſe courts, under the proviſions of Section II, Regulation XIII, 1810.

Under what reſtriction ſingle judges may paſs orders or judgments, in ſuch caſes.

Rules in Sections III, and IV, Regulation XIII, 1810, applicable to powers and duties of ſingle judges of the provincial courts under the preſent regulation.

VII. The rules contained in Sections III and IV, Regulation XIII, 1810, reſpecting deciſions paſſed by a ſingle judge, and the general duties to be performed and the powers to be exerciſed by ſingle judges of the provincial courts, under that regulation, ſhall be conſidered equally applicable to the powers and duties of ſingle judges of the provincial courts, and to deciſions paſſed by them, under the preſent regulation.

VIII.

Powers of ſingle judges of the provincial courts ſitting upon appeals in ſucceſſion, and concurring in opinion.

VIII. In modification of the Third Clauſe of Section II, Regulation XIII, 1810, requiring the ſitting of two judges to reverſe or alter a deciſion or order appealed to a provincial court, and of ſuch part of any other regulation in force, as directs that decrees are to be ſigned by the judges paſſing the ſame; it is hereby provided, that when a ſingle judge of a provincial court, trying a caſe in appeal from a zillah or city judge, aſſiſtant judge, or regiſter, ſhall be of opinion, that the deciſion appealed from, ought to be reverſed, or altered, and ſhall record his ſentiments to that effect; and another judge of the provincial court, ſitting afterwards upon the ſame appeal, ſhall concur in the opinion ſo recorded, it ſhall be competent to the ſecond judge to paſs the decree, or final order, in conformity thereto, and to cauſe the ſame to be carried into execution, in the mode preſcribed by the regulations; without waiting for a ſitting of both judges, when circumſtances may not conveniently admit of it. In ſuch caſes, the decree or order ſhall be ſigned by the judge preſent at the final ſitting; and the ſignature of the judge who firſt ſat ſhall not be conſidered requiſite; but his opinion, as recorded by him, ſhall be recited in the decree or final order, and in the copies of it delivered to the parties.

Decree or order may be ſigned by the judge preſent at the final ſitting in ſuch caſes.

Parts of the regulations in force, which give a caſting vote to the ſenior judges of the provincial courts repealed.

IX. *Firſt.* Such parts of the regulations in force as provide, in caſes of a difference of opinion between two judges of the provincial courts of appeal, that the ſenior judge ſhall have a caſting vote, in affirming, reverſing, or altering the decree or order of a zillah or city court, when the caſe may be further appealable to the court of Sudder Dewanny Adawlut, or a caſting voice in affirming the decree or order of a zillah or city court, but not in reverſing or altering it when the diviſion of the provincial court may be final, are hereby reſcinded.

Rule to be obſerved when a difference of opinion may ariſe between two judges of a provincial court trying an appeal.

Second. Whenever two judges of a provincial court may try an appeal from the deciſion or order of a judge, aſſiſtant judge, or regiſter, of a zillah or city court, and a difference of opinion may ariſe between ſuch judges, the determination of the provincial court ſhall be ſuſpended until the opinion of a third judge of that court can be taken, when the deciſion ſhall be paſſed according to the majority of voices.

Third. The rules ſtated in the above clauſe ſhall alſo be obſerved in all civil ſuits, tried by the provincial courts in the firſt inſtance, wherein a difference of opinion may ariſe between two of the judges of thoſe courts, ſitting on the trial of ſuch ſuits.

The ſame rule to be obſerved when two judges, trying an original ſuit, may differ in opinion.

Fourth. The ſame principle ſhall be obſerved in all other buſineſs of a general or miſcellaneous nature before two judges of a provincial court, when a difference of opinion may ariſe between them, and in general, when there may not be a third judge preſent at the ſtation, the deciſion of the queſtion ſhall be poſtponed for the attendance of another judge. But in caſes not involving any matter of judicial cognizance, if a third judge be within the diviſion, though not at the ſudder ſtation, and the buſineſs appear to require an early deciſion, the papers relative thereto may be ſent to him for his written opinion, and on receipt thereof, a determination ſhall be paſſed according to the majority of voices.

The ſame principle to be obſerved in all other buſineſs before two judges of a provincial court, when a difference of opinion may ariſe.

In what caſes the papers may be ſent to a third judge within the diviſion, but not at the ſudder ſtation, for his opinion.

Fifth. If in any inſtance a difference of opinion ſhould take place in queſtions before four judges of a provincial court, and the number of voices be equal, the firſt judge, concurring with any one of the other judges ſhall poſſeſs a caſting vote, and the reſolution ſhall be paſſed accordingly.

Rule to be obſerved when a difference of opinion may take place between four judges of a provincial court; and the number of voices may be equal.

X. *First*, by Section IV, Regulation I, 1807, and Section IV, Regulation XIII, 1810, ſingle judges holding ſittings of the provincial courts of appeal under the proviſions of thoſe regulations, are empowered to perform all miſcellaneous duties appertain[illegible] to the provincial courts, and to proceed as two or more judge[illegible] of thoſe courts are empowered to proceed, except when they may be of opinion, that the order of a zillah or city court, or the order of

What powers may be exerciſed by ſingle judges of the provin[illegible] cou[illegible] reſpec[illegible] ap- po[illegible]d [illegible] of another judge of the provincial court, ſhould be reverſed, or altered. It having been doubted whether the powers thus veſted in a ſingle judge, include the appointment and the removal of the miniſterial native officers of the zillah or city civil courts, whoſe appointment and removal, on reports from the zillah and city judges are or may be veſted in the provincial courts, it is hereby declared that ſingle judges of the provincial courts, holding ſittings of thoſe courts, under the proviſions contained in Regulation XIII, 1810, or the preſent regulation, are empowered to proceed in like manner as two or more judges of the provincial courts are empowered to proceed under Section VII, Regulation VIII, 1809, except when they may differ in opinion from the zillah or city judge, reſpecting the appointment or removal of any native officer of the zillah or city courts; in which caſe the queſtion ſhall be brought before two or more judges of the court.

And of miniſterial native officers of the provincial courts.

Second. A ſingle judge holding the ſittings of the provincial court ſhall be competent to ſuſpend any miniſterial native officer of that court, but ſhall not be competent to paſs any final order or deciſion regarding the removal or appointment of any native miniſterial officer of a provincial court; all queſtions which may ariſe reſpecting the appointment or removal of ſuch officers ſhall be brought before two or more judges of the court and ſhall be decided in caſes of a difference of opinion in conformity with Section IX, of this regulation.

What powers veſted in ſingle judges of the courts of circuit and their law officers holding the zillah and city jail deliveries.

XI. Under the exiſting regulations, the jail deliveries of the ſeveral zillahs and cities are held before a ſingle judge of the court of circuit, and a law officer of that court. The judges holding ſuch jail deliveries, in the trial of priſoners committed or held to bail by the magiſtrate to be tried before the courts of circuit, as preſcribed by the regulations, poſſeſs in conjunction with their law officers the full powers which are veſted in the courts of circuit for the trial and puniſhment of criminal offences.

Proviſions in following ſec.

But the powers of ſingle judges of the courts of circuit, at the ſudder ſtations have not been defined by any regulation. The proviſions contained in the following ſection are therefore enacted for this purpoſe.

tions enacted to define powers of ſingle judges of the courts of circuit at the ſudder ſtation.

XII. *Firſt.* Whenever, from the abſence, or indiſpoſition, of one or more of the judges of a court of circuit, or from one or more of the judges being occupied with the buſineſs of the civil court, or from vacancies, or any other cauſe, the ſitting of a court of circuit, at the ſudder ſtation, cannot be held before two judges, it ſhall be competent to a ſingle judge to hold the ſitting of the court; to call for the proceedings of a zillah or city magiſtrate, a joint magiſtrate, or an aſſiſtant magiſtrate, in caſes, in which there may appear to be ſufficient cauſe for requiring ſuch proceedings, to execute all ſentences and orders received from the court of Nizamut Adawlut; and to paſs orders in conformity with the regulations on all matters cognizable by the courts of circuit at the ſudder ſtation, ſubject to the following proviſions.

For what caſes a ſingle judge may hold the ſitting of a court of circuit at the ſudder ſtation.

And what duties may be performed by him ſubject to the following proviſions.

Second. In all caſes wherein a deciſion, or order, may have been paſſed by a zillah or city magiſtrate, or by a joint or aſſiſtant magiſtrate, it ſhall not be competent to a ſingle judge of a court of circuit ſitting at the ſudder ſtation to reverſe, or alter ſuch deciſion, or order, without the concurrence of another judge of the court of circuit.

Not to reverſe or alter the deciſion or order, of a magiſtrate or a joint or aſſiſtant magiſtrate without the concurrence of another judge.

Third. In caſes in which a deciſion or order may have been already paſſed by one or more judges of a court of circuit, it ſhall not be competent to a ſingle judge to reverſe, or alter the deciſion or order ſo paſſed.

Not to reverſe or alter a former deciſion or order of one or more judges of a court of circuit.

Fourth. No judge of circuit ſhall take cognizance of appeals to the court of circuit againſt deciſions, or orders, paſſed by himſelf in the capacity of magiſtrate, joint magiſtrate, or aſſiſtant magiſtrate; or in any other capacity.

Not to take cognizance of appeals againſt deciſions or orders paſſed by himſelf.

Fifth.

Rule to be obſerved on references from a judge of circuit holding a jail delivery when a ſingle judge at the ſudder ſtation may concur with or differ from the judge making the reference.

Fifth. In caſes referred to the court of circuit, at the ſudder ſtation, by the judge of circuit holding a jail delivery, in purſuance of Section XXII, Regulation IX, 1807, or any other regulation directing or authoriſing a reference to the court of circuit at the ſudder ſtation, by the judge of circuit employed upon the duties of the zillah and city jail deliveries, if there be only one judge at the ſudder ſtation, or if the caſe ſhall come before a ſingle judge, under the proviſion made by the Clauſe Firſt, of this ſection, and ſuch judge ſhall concur in opinion with the judge making the reference, he ſhall be competent to paſs a final order in conformity with their joint opinion and the regulations. But if the judge at the ſudder ſtation, ſhould differ in opinion from the judge making the reference in ſuch caſes, he ſhall record his opinion, and the queſtion ſhall lie over until the opinion of a third judge can be obtained.

Rule in Section X, of this regulation, applicable to ſingle judges of courts of circuit, reſpecting appointment and removal of miniſterial native officers.

Sixth. The rule contained in Section X, of this regulation, with reſpect to the appointment and removal of the miniſterial native officers of the provincial courts of appeal and of the zillah and city civil courts, ſhall be conſidered applicable to, and obſerved by ſingle judges of the courts of circuit, holding the fittings of thoſe courts, at the ſudder ſtations under the preſent ſection, with reſpect to the appointment and removal of miniſterial native officers of the courts of circuit; or of the zillah and city magiſtrates, joint magiſtrates, or aſſiſtant magiſtrates, or native officers of the police, in caſes, in which the appointment or removal of ſuch officers is ſubject to the confirmation of the courts of circuit.

Deciſions and orders of a ſingle judge of a court of circuit paſſed in conformity with the preceding ſection, to have the ſame force as [illegible]

XIII. Deciſions and orders of a ſingle judge of a court of circuit, holding a ſitting of the court at the ſudder ſtation, in purſuance of Clauſe Firſt, of the preceding ſection, ſhall, if paſſed in conformity with the ſeveral proviſions of that ſection, and the general regulations, have the ſame force and effect, as if they had been paſſed by the court of circuit collectively.

XIV. In all caſes of a difference of opinion between two or more judges of a court of circuit, they ſhall be guided by the principles of the rules preſcribed for the provincial courts of appeal in Section IX, of this regulation.

By what rules the judges of the courts of circuit to be guided in caſes of a difference of opinion.

XV. It having been doubted whether a judge of circuit holding a zillah or city jail delivery can upon miſconduct appearing before him, in the courſe of a criminal trial or otherwiſe, order the diſmiſſal of a police officer, or other native officer, it is hereby declared that a judge of circuit, holding a zillah or city jail delivery, may order the diſmiſſal of any native officer convicted before him of a criminal offence, which under any expreſs proviſion in the regulations is puniſhable by diſmiſſion from office; and on the ſame being notified to the magiſtrate, or other European public officer, under whom the native officer ſo diſmiſſed may have been employed, it ſhall be the duty of the magiſtrate, or other European officer, to take meaſures for the appointment of a ſucceſſor to the vacant office, in conformity with the regulations. In all other caſes, if the removal of a native officer appear neceſſary to a judge of circuit holding a jail delivery; he ſhall communicate the ſame, with the grounds of his opinion, to the magiſtrate, or other European public officer under whom ſuch native officer may be employed; and the magiſtrate, or other European officer, receiving ſuch communication, ſhall either conform thereto, and proceed to fill the vacant office in the mode preſcribed by the regulations; or ſhall report the caſe to the proper court, board, or other authority, veſted with the final power of removing the native officer referred to, under the proviſions of Regulation VIII, 1809, or any other regulation in force.

In what caſes judge of circuit holding a jail delivery may order the diſmiſſion of a native officer.

Judge of circuit how to proceed in all other caſes, when the removal of a native officer may appear to him neceſſary.

And what to be done by the magiſtrate or other European public officer on receiving the preſcribed communication from a judge of circuit.

XVI. The modification of Sections II, Regulation XIII, 1810, contained in Sections VI and VIII, of this regulation, are hereby extended, and declared applicable, to the proviſions of Section VI, Regulation XIII, 1810; with reſpect to a ſingle judge of the court of Sudder Dewanny Adawlut holding the ſittings of that court.

Proviſions i[illegible] of the court of Sudder Dewanny Adawlut.

XVII,

Rule for ſeparate ſittings before ſingle judges of the Nizamut Adawlut declared to authorize ſittings on miſcellaneous buſineſs, as well as upon criminal trials.

XVII. The rule for ſeparate ſittings before ſingle judges of the court of Nizamut Adawlut contained in Section VI, Regulation VIII, 1808; though principally intended for the ſpeedy determination of criminal trials, under reference to that court, is hereby declared to authorize a ſitting of the court, before a ſingle judge (when two or more judges may not be able to attend) upon miſcellaneous references to or from the courts of circuit and magiſtrates upon petitions receivable by the court of Nizamut Adawlut; and generally upon all matters appertaining to the cognizance of that court under the regulations in force. But in every caſe wherein a ſingle judge of the Nizamut Adawlut may be of opinion that the deciſion or order, of a court of circuit, magiſtrate, or other public officer, ſhould be reverſed, or altered, he is not to paſs a final order, without the concurrence of one or more of the other judges of the court. Nor is he, in any caſe by his ſingle authority to reverſe or alter a former deciſion, or order, of one or more of the judges of the court.

A ſingle judge not authorized to paſs a final order altering or reverſing the deciſion or order of certain other authorities.

Proviſion in caſe of a difference of opinion when four judges of the Sudder Dewanny Adawlut or of the Nizamut Adawlut may be preſent at a ſitting and the number of voices may be equal.

XVIII. It is already provided by the regulations, with reſpect to the court of Sudder Dewanny and Nizamut Adawlut, that in the event of any difference of opinion when three judges may be preſent, the voices of the majority ſhall determine the queſtion; or if only two judges be preſent, that the deciſion upon the queſtion be poſtponed for the attendance of a third judge. It is hereby further provided, that if four judges of the court of Sudder Dewanny Adawlut, or the court of Nizamut Adawlut, be preſent, at a ſitting of either court, when a difference of opinion may take place, and the number of voices be equal, the chief judge, concurring with any one of the other judges, ſhall poſſeſs a caſting voice, and the queſtion ſhall be determined accordingly.

A. D. 1814. REGULATION XXVI.

A REGULATION *for modifying ſome of the rules at preſent in force, regarding the admiſſion and trial of ſpecial and ſummary appeals from deciſions, paſſed in regular ſuits; for limiting and altering ſome of the exiſting proviſions reſpecting the pleadings and proceſſes, and the mode of executing decrees in regular ſuits, and appeals; and for explaining and making certain additions to the proviſions of Regulation* I, 1814.—Passed *by the Vice Preſident in Council, on the* 29*th of November* 1814; *correſponding with the* 15*th Aughun* 1221 *Bengal era; the* 2*d Aughun* 1222 *Fuſſily; the* 16*th Aughun* 1222 *Willaity; the* 2*d Aughun* 1871 *Sumbut; and the* 16*th Zoheija* 1229 *Higeree.*

Preamble. WHEREAS it has become requiſite, with a view to the more ſpeedy adminiſtration of civil juſtice, that the rules at preſent in force, regarding the admiſſion and trial of ſpecial and ſummary appeals from deciſions paſſed in regular civil ſuits, ſhould be modified; and that ſome of the proviſions in force regarding the pleadings and proceſſes, and the mode of executing decrees in regular civil ſuits and appeals ſhould be altered; and whereas it is expedient to remove certain doubts, which have ariſen on the conſtruction of ſome of the rules now in force regarding the mode of raiſing a revenue by means of ſtamps, and to make certain additions to the proviſions of Regulation I, 1814, the following rules have been enacted, to be in force from the 1ſt of February 1815, throughout the territories immediately ſubject to the preſidency of Fort William.

Proviſions in modification of the rules in force regarding the mode of admitting ſpecial appeals.

II. *Firſt.* In modification of the proviſions contained in Section XXIV, Regulation XLIX, 1803, Section X, Regulation II, 1805, and Clauſes Second and Third, Section IX, Regulation VIII, 1805, it is hereby enacted, that from and after the 1ſt of February 1815, no ſpecial or ſecond appeal ſhall be admitted by a zillah or city judge, by a provincial court, or by the Sudder Dewanny Adawlut, unleſs upon the face of the decree, or of documents exhibited with it (aſſuming all the facts of the caſe as ſtated in the decree,) the judgment ſhall appear to be inconſiſtent with ſome eſtabliſhed judicial precedent, or with ſome regulation in force, or with the Hindoo or Mahomedan law, in caſes which are required to be decided by thoſe laws, or with any other law or uſage which may be applicable to the caſe, or unleſs the judgment ſhall involve ſome point of general intereſt, or importance, not before decided by the ſuperior courts.

Party to preſent a petition to the court competent to admit ſuch ſpecial appeal.

Second. When a party upon any of the grounds ſpecified in the preceding clauſe may be diſſatisfied with a judgment paſſed on a regular appeal, by a competent civil court, and may in conſequence be deſirous of obtaining a further inveſtigation of the ſuit by a ſecond or ſpecial appeal, he ſhall, within the limited periods preſcribed for the admiſſion of regular appeals, preſent a petition to the court, which under the proviſions of Regulations XXIV, and XXV, 1814, may be competent to admit a ſpecial appeal in the caſe.

Third.

Such petition to be written on ſtampt paper of what deſcription, and what it is to contain.

Third. Such petition ſhall be written upon the ſtampt paper preſcribed in Section XIII, Regulation I, 1814, with reference to the value or amount of the ſuit, calculated according to the proviſions of Section XIV, of that regulation, or any proviſions which may be hereafter enacted for the valuation of property ſued for in the civil courts; the petition ſhall ſtate diſtinctly the ſpecific ground or grounds under Clauſe Firſt of this ſection, on which the ſpecial appeal is ſolicited, and ſhall be preſented either by the party in perſon, or by an authorized pleader of the court. In the latter caſe, the petition ſhall be ſigned by the pleader, who ſhall certify on the back of the petition, that he has duly conſidered the grounds ſtated for admitting a ſpecial appeal under Clauſe Firſt of this ſection, and believes them to be well founded and ſufficient.

Mode of proceeding when a ſpecial appeal may be admitted.

Fourth. If on a conſideration of the circumſtances of the caſe, the court ſhall ſee reaſon for admitting a ſpecial appeal on any of the grounds ſtated in the Firſt Clauſe of this ſection, the appellant ſhall be required to furniſh the preſcribed ſecurity, and to depoſit the amount of the fees payable to his pleader under the rules in force, within a reaſonable period to be fixed by the court; when the required ſecurity and depoſit ſhall have been duly furniſhed, the court will admit the ſpecial appeal, and proceed to inveſtigate the ſuit under the ſame rules as are preſcribed for the trial and determination of regular appeals.

Courts authorized to refund a portion of the ſtamp duty in certain caſes when the petition for a ſpecial appeal may be rejected.

Fifth. If the court ſhall not ſee ſufficient reaſon for admitting the ſpecial appeal, and ſhall in conſequence reject the petition, the appellant ſhall not be entitled to receive back the amount or value of the ſtamp on which the petition may have been written under Clauſe Third; the courts are however veſted with a diſcretionary authority in any particular inſtance of hardſhip to refund any portion not exceeding three fourths of the amount of ſuch ſtamp duty to the party who may have paid the ſame, or to his legal repreſentative.

All orders paſſed by competent courts regarding ſpecial appeals to be final.

Sixth. It is hereby declared, that the order of a zillah or city judge, or of a provincial court, refuſing to admit a ſpecial or ſecond appeal under the powers veſted in them, by this regulation, as well as the judgments which they may reſpectively paſs on ſpecial appeals admitted by them, ſhall in all caſes be final, and ſhall not be liable to any further reviſion by a ſuperior court.

Pleaders entitled to certain fees on the rejection of ſpecial appeals.

Seventh. When an application for a ſpecial appeal preſented through an authorized pleader to a zillah or city court, a provincial court, or to the Sudder Dewanny Adawlut, may be rejected by the court, ſuch pleader ſhall be entitled to receive from the party employing him any remuneration for his trouble, which the court may think proper to adjudge; provided, that ſuch remuneration ſhall in no caſe exceed one fourth of the amount of the fee, to which the pleader would have been entitled, had the ſpecial appeal been admitted and determined by the court; nothing in this ſection ſhall be underſtood to affect any ſpecial appeals, which may have been already admitted, and which may be admitted, previouſly to the 1ſt of February 1815, by the zillah or city judges, the provincial courts, or the Sudder Dewanny Adawlut.

Proviſions reſcinded.

III. *Firſt.* Sections VIII and IX, Regulation II, 1801, Section XII, Regulation IV, 1803, Section XXVI, Regulation XLIX, 1803, and Section II, Regulation II, 1805, are hereby reſcinded, and the following proviſions are enacted in their ſtead.

Caſes in which the Sudder Dewanny Adawlut may admit a ſummary appeal.

Second. It ſhall be competent to the Sudder Dewanny Adawlut to receive a ſummary appeal from the orders or decrees of the provincial courts in all caſes, in which the latter may have refuſed to admit an original ſuit or appeal, regularly cognizable by them; or having admitted ſuch ſuit, or appeal, may have diſmiſſed it on the ground of delay, informality, or other default, without an inveſtigation of the merits of the caſe.

Third. In like manner it ſhall be competent to a provincial court to receive a ſummary appeal from the orders or decrees of the zillah or city courts, in caſes, in which the latter may have refuſed to admit an original ſuit or appeal, regularly cognizable by them; or having admitted ſuch ſuit or appeal, may have diſmiſſed it, without an inveſtigation of the merits on the ground of delay, informality, or other default.

Caſes in which the provincial courts may admit a ſummary appeal.

Fourth. On the ſame principle it ſhall be competent to the zillah or city judges to receive a ſummary appeal from the orders or decrees of a regiſter, or ſudder ameen, in caſes, in which the regiſter or ſudder ameen may have diſmiſſed on the ground of ſome default, and without an inveſtigation of the merits of the caſe, any original ſuit or appeal regularly referred to them.

Caſes in which the zillah or city judges may admit a ſummary appeal.

Fifth. In all the preceding caſes, the ſummary appeal ſhall be preferred within the ſame limited period as is preſcribed for the admiſſion of regular appeals, and ſubject to the proviſions contained in the following clauſes.

Limitation of time for the admiſſion of ſummary appeals.

Sixth. Whenever a party may be deſirous of preferring a ſummary appeal in the caſes abovementioned, he ſhall appear either in perſon, or by a vakeel duly authoriſed, before the court, which, under the preceding rules, may be competent to receive ſuch appeal; and shall present a petition, written on the ſtampt paper, preſcribed by Section XVIII, Regulation I, 1814, and accompanied by an atteſted copy of the order or decree paſſed in the caſe.

The petition for a ſummary appeal to be written on what ſtamp paper.

S[illegible]h. The party preſenting ſuch petition, ſhall not be lia- [illegible] payment of the ſtamp duty, ſubſtituted for the inſtitu- [illegible] Section XIII, Regulation I, 1814; nor ſhall he be re- [illegible]niſh the depoſit for the fee of his vakeel, or any ſecu- [illegible]ch as may be eventually neceſſary under the regula- [illegible] for ſtaying the execution of the decree, from which th[illegible]e preferred.

Party not liable to pay the inſtitution fee nor to furniſh the uſual depoſit or ſecurity.

Exception.

Eighth.

Mode of proceeding in ſummary appeals.

Eighth. It ſhall not be requiſite to give any notice to the reſpondent, or to require his attendance on ſuch ſummary appeal being preferred, unleſs in any particular inſtance the court may deem it proper to adopt that meaſure; nor ſhall any pleadings or proceedings be holden on ſuch ſummary appeal, excepting ſuch as may ſuffice to determine whether the ſuit was or was not rejected or diſmiſſed by the lower court on ſufficient grounds, and in conformity with the regulations.

In what caſes the lower courts may be directed to receive or to revive the ſuit.

Ninth. If upon ſuch ſummary proceedings, it ſhall appear to the court, that the ſuit was rejected in the firſt inſtance, or after being admitted, was diſmiſſed without an inveſtigation of the merits, upon inſufficient grounds; or in oppoſition to the regulations, it ſhall be competent to the Sudder Dewanny Adawlut, to the provincial courts, and to the zillah or city judges reſpectively, to direct the lower court or officer, from whoſe order or decree the petition of appeal may have been preſented, to receive the original ſuit or appeal, or to revive it, if it ſhall have been received and diſmiſſed, and to try and determine ſuch cauſe on its merits, according to the regulations.

In what caſes the courts may reject the ſummary appeal and fine the appellant.

Tenth. If on the contrary ſuch ſummary appeal ſhall b[illegible] to be groundleſs and litigious, the ſudder dewanny adaw[illegible] provincial courts, and the zillah or city judges, are reſpe[illegible] authorized and required to reject the petition for a ſummary appeal, and to impoſe ſuch fine on the litigious appellant, as may appear to be in each inſtance proportionable to the condition of the party, and to the circumſtances of the caſe; provided that ſuch fine ſhall in no caſe exceed the amount of the ſtamp duty, which would have been payable by the appellant on the inſtitution of ſuch caſe, as a regular ſuit or appeal. All orders, impoſing fines, or rejecting petitions of ſummary appeal, which may be paſſed under the preceding clauſe, by the Sudder Dewanny Adawlut, the provincial courts, or by the zillah or city judges, ſhall be final and concluſive.

The orders of the courts in ſuch caſes to be final.

Eleventh.

Proviſion for pleaders fees in ſuch caſes.

Eleventh. When a pleader may be employed in ſuch ſummary appeals, the court is authorized to award to him ſuch fee, as may be conſidered to be a ſufficient compenſation for his labour, provided that it ſhall in no caſe exceed one fourth of the fee to which ſuch vakeel would have been entitled if the ſuit had been inſtituted either as an original ſuit or as a regular appeal.

Proviſions reſcinded.

IV. *Firſt.* Sections II and III, Regulation II, 1798, Section XXII, Regulation II, 1803, (extended to the conquered provinces and to Bundlecund by Clauſe Third, Section IX, Regulation VIII, 1805,) Clauſe Second, Section XXX, Regulation IV, 1803, Section XXXVII, Regulation V, 1803, and Regulation III, 1813, are hereby reſcinded, and the following rules are ſubſtituted in their ſtead.

Proviſions regarding the mode of applying for permiſſion to review judgments from which no appeal ſhall have been preferred.

Second. Any perſons conſidering themſelves aggrieved by a decree paſſed in a regular civil ſuit, or appeal by a zillah, city, or provincial court, from which decree no further appeal may have been admitted by a ſuperior court, and who, from the diſcovery of new matter or evidence which was not within their knowledge, or could not be adduced by them at the time when the decree was paſſed, or from any other good and ſufficient reaſon, may be [redacted] of obtaining a review of the judgment paſſed againſt them, berty to preſent a petition for this purpoſe to the court, in the decree in queſtion may been paſſed; ſuch petition ſhall be written on ſtampt paper of the value preſcribed in Section XVIII, Regulation I, 1814, and ſhall be preſented within the period of three calendar months, from the delivery or tender of the decree, which period ſhall be calculated according to the proviſions of Clauſe Eleventh, of Section VIII, of this regulation. The courts are nevertheleſs authorized to admit applications for a review after the period abovementioned, provided that the parties preferring the ſame ſhall be able to ſhew juſt and reaſonable cauſe to the ſatiſfaction of the court for not having preferred ſuch application within the limited period; in ſuch caſe however the courts are enjoined to p [redacted] large upon the proceedings,

ceedings, their reaſons for admitting ſuch applications after the limited period. If the courts ſhall be of opinion, that there are not any ſufficient grounds for a review, they ſhall reject the petition, and their order to that effect, ſhall be final; but if on the contrary, they ſhall be of opinion, that the review deſired, is neceſſary to correct an evident error, or omiſſion, or is otherwiſe requiſite for the ends of juſtice, they ſhall report the ſame to the ſudder dewanny adawlut, tranſmitting at the ſame time, a ſtatement of the grounds of their opinion, with a copy of the petition preſented to them, and a copy of the decree paſſed in the caſe.

Proviſion for empowering the Sudder Dewanny Adawlut to grant a review.

Third. The court of Sudder Dewanny Adawlut, in caſes referred to them under the preceding clauſe, as well as in all caſes, in which a petition may be preſented to them for a reviſion of their own judgments, which may not have been appealed to the King in Council, (or though appealed, the proceedings in which may not have been tranſmitted to the King in Council,) are authoriſed to grant the review deſired, if upon a conſideration of the reaſons ſtated, the circumſtances of the caſe ſhall appear in juſtice to require it. The Sudder Dewanny Adawlut ſhall record on their proceedings the grounds upon which a review may be granted by them in each inſtance, and ſhall iſſue any inſtructions regarding the admiſſion or rejection of new evidence in the caſe, which they may deem juſt and proper.

The orders rejecting applications for a review not to bar the right of a party to prefer a regular appeal.

Fourth. The order of a zillah or city court, or of a provincial court, or of the Sudder Dewanny Adawlut, rejecting the petition for a review in the firſt inſtance, or of the latter court refuſing to ſanction a review when applied for by a lower court, ſhall not be conſtrued to preclude the party from inſtituting a regular appeal, (if the caſe be appealable) in a competent court, ſubject to the conditions and rules preſcribed by the regulations in force for the admiſſion of ſuch appeals.

V. *First*, In order to prevent the unneceſſary occupation of the time of the public officers by the introduction of ſuperfluous matter into the pleadings and petitions of parties, and to guard againſt the evaſion of the rules preſcribed by Regulation I, 1814, for raiſing a revenue by means of ſtamp duties, the following proviſions are hereby enacted.

Proviſions to prevent ſuperfluous pleadings, and evaſions of the ſtamp duty.

Second. All pleadings, petitions, and applications, all deeds, documents and other papers, whether originals, or copies, which are required by the regulations to be written on ſtampt paper, are to be written in a fair legible manner, and as they have been hitherto uſually prepared, as well with regard to the ſize of the writing, the ſpace between the words, and the number of lines in each page, as to all other matters regarding their engroſſment.

Pleadings and other documents on ſtampt paper how to be written.

Third. If the ſubject matter of any plaint, or petition of appeal cannot, under the rule contained in the preceding clauſe, be conveniently compriſed, in a ſingle ſheet, or roll of the ſtampt paper preſcribed for ſuch plaint, or petition of appeal, any additional ſheets or rolls which may be required for that purpoſe, ſhall be of the deſcription of ſtampt paper ſpecified in Section XVII, Regulation I, 1814; in like manner, if the ſubject matter, of any anſwer, reply, rejoinder, or other pleading, cannot be compriſed in a ſingle ſheet or roll of the ſtampt paper preſcribed for ſuch pleading, any additional ſheets or rolls, which may be required for that purpoſe, ſhall be of the deſcription of ſtampt paper, ſpecified in Section XVII, Regulation I, 1814.

Rule to be adopted when the whole of the ſubject matter of a plaint or other pleading cannot be contained in a ſingle ſheet of ſtampt paper.

Fourth. If a party or vakeel or other perſon ſhall hereafter file in a zillah or city court, in the provincial court, or in the Sudder Dewanny Adawlut any plaint, or pleading, required to be written on ſtampt paper, which may not have been prepared in conformity with the foregoing proviſions, of this ſection, the court is authorized, to impoſe on ſuch party, vakeel, or other perſon, any fine which they may deem proper, provided that ſuch fine ſhall in no

Fine to be impoſed on a breach of the preceding rules.

inſtance exceed three times the amount or value of the additional ſtampt paper, which would have been required had the plaint or pleading been drawn up in conformity with the foregoing proviſions.

Similar proviſions with reference to miſcellaneous petitions or applications.

Fifth. If the ſubject matter of any miſcellaneous petition or application, or of other papers ſpecified in Section XVIII, Regulation I, 1814, cannot, under the rule contained in Clauſe Second, of this Section, be conveniently comprized in a single sheet or roll of the preſcribed ſtampt paper; any additional ſheets or rolls, which may be required for for that purpoſe, ſhall be of the value and deſcription ſpecified in the ſaid ſection of the regulation in queſtion; and if any ſuch petition or paper, which may not have been prepared in conformity with the foregoing rule, and with the rules contained in Clause Second of this ſection, ſhall be hereafter preſented to any of the courts or officers ſpecified in Section XVIII, Regulation I, 1814, ſuch court or officer is hereby authorized to impoſe a fine on the party or perſon preſenting, under the ſame limitations as are preſcribed in the preceding clause.

Modification of certain proviſions in force.

VI. *Firſt.* The rules contained in Sections V and VI, Regulation IV, 1793, and in Sections V and VI, Regulation III, 1803, are hereby declared ſubject to the following modification.

Regiſters not required to file a rejoinder when the defendant may refuſe or neglect to do ſo.

Second. Whenever a defendant in an original civil ſuit ſhall refuſe, or neglect to file a rejoinder within the period preſcribed for that purpoſe, it ſhall not be neceſſary for the regiſter (as hitherto required) to enter a rejoinder for him, but the court before whom the trial may be depending, aſter recording ſuch refuſal or neglect, ſhall proceed in the trial of the ſuit, iu the ſame manner as if a rejoinder containing a general denial of the claim had been regularly filed.

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Third. From and after the 1ſt of February 1815, no ſu mental complaint or other ſupplemental pleadings ſhall be admitted in any ſuit, unleſs the court, upon a peruſal of the pleadings previouſly filed, and from a conſideration of the circumſtances alleged by the parties, ſhall deem it juſt and proper to admit ſuch ſupplemental plaint, or other ſupplemental pleadings to be filed in the ſuit.

the admiſſion of ſupplemental pleadings.

VII. *First.* If during the trial of any regular ſuit it ſhall appear that the plaint has been written on ſtampt paper of a leſs value than that, which ought to have been uſed under the proviſions of Sections XIII and XIV, Regulation I, 1814, and the court ſhall be of opinion that the error or omiſſion did not ariſe from any fraudulent motive, or from any deſign on the part of the plaintiff to evade the proviſions of the Regulations, it ſhall be competent to the court, either to permit or to direct the plaintiff, or appellant, in the ſuit to file a duplicate of the plaint on ſtampt paper of ſuch a value, as may be ſufficient to complete the full amount of the ſtampt duty preſcribed by the ſections above mentioned.

In what caſes the courts may authoriſe a plaintiff, to file a duplicate of the plaint, for the purpoſe of correcting errors in the valuation of the cauſe of action.

Second. In addition to the proviſions of Section IV, Regulation XIII, 1808, it is hereby declared, that if on the trial of any ſummary appeal preferred under that ſection, the provincial [illegible]ll be of opinion, that the original ſuit was not from its [illegible]regularly cognizable in the zillah or city court, but that the irregularity in the inſtitution of ſuch ſuit did not ariſe from any fradulent motive on the part of the plaintiff, it ſhall be competent to the provincial court to direct the zillah or city judge to refund to the plaintiff the amount of the fee or ſtamp duty paid by him, on inſtituting the ſuit in the zillah or city court, and the plaintiff ſhall be permitted to inſtitute his ſuit de novo in the provincial court.

Proviſion for the repayment to a plaintiff of the ſtamp duty or inſtitution fee in certain caſes.

VIII. *First,* Such parts of Section XII, Regulation II, 1805, [illegible]f other proviſions in force, as require that the petition of appeal

Modifica[illegible] part of S[illegible] XII, R[illegible] on II, [illegible] and other proviſions in force.

peal ſhall be uniformly accompanied by an authenticated copy of the decree appealed againſt, are hereby declared ſubject to the following modifications.

The petition of appeal from deciſions paſſed in the zillah and city courts may be preſented to the judge without an authenticated copy of the decree.

Second. Any party who may be deſirous of appealing from a judgment paſſed againſt him ſubſequently to the 1ſt of February, 1815, by a ſudder ameen, a regiſter, or a judge of any zillah or city court, from which a regular appeal may be admiſſible under the regulations, ſhall be at liberty to preſent his petition of appeal without an authenticated copy of the decree, to the judge of the zillah or city, in which the deciſion may have been paſſed. Such petition of appeal ſhall not be required to contain the ſpecific grounds, or reaſons of the appeal, but may ſtate ſhortly that the party being diſſatisfied with the judgment, is deſirous of appealing from it. The petition muſt be written on ſtamp paper according to the rates and proviſions contained in Sections XIII and XIV, Regulation I, 1814, and muſt be accompanied by the preſcribed ſecurity for the eventual coſts in appeal.

The petition need not contain the detailed reaſons for the appeal.

But muſt be written on preſcribed ſtampt paper and accompanied by the requiſite ſecurity.

The judge may admit the appeal after referring to the original decree.

Third. The zillah or city judge, after referring to the decree in the original record of the ſuit, ſhall then admit the appeal, provided that the petition of appeal and the ſecurity required ſhall have been duly preſented in the mode above preſcribed, within the periods limited for the admiſſion of ſuch appeals under the exiſting regulations.

The depoſit for pleaders, fees to be paid into the court by which the appeal may be tried.

Fourth. The depoſit for the pleaders' fees preſcribed by Section XXIII, Regulation XXVII, 1814, in lieu of the ſecurity formerly demanded for ſuch fees, is not required to be furniſhed with the petition of appeal, but in caſes in which a pleader ſhall be appointed to conduct the appeal, the depoſit ſhall be delivered to the court by which the appeal is to be tried.

Appellants authorized to ſtate their reaſons of

Fifth. The ſpecific objections to the judgment and detailed grounds and reaſons for preferring the appeal may be ſtated at the

option

appeal either in the petition or in a ſeparate pleading.

option of the party in the original petition of appeal, or may be ſubſequently filed in the court trying the appeal as a ſeparate pleading; in the latter caſe ſuch pleading is to be written on the ſtampt paper, and according to the rates preſcribed for other pleadings in Section XVII, Regulation I, 1814.

The proviſions in the preceding clauſes applicable to appeals from deciſions paſſed by the provincial courts, and by the Sudder Dewanny Adawlut.

Sixth. In like manner any parties who may be deſirous of appealing from the judgments paſſed by the provincial courts in ſuits regularly appealable to the Sudder Dewanny Adawlut, or from the judgments of the Sudder Dewanny Adawlut in ſuits which may be regularly appealable to the King in Council, ſhall be at liberty to preſent their petition of appeal, without an authenticated copy of the decree to the court, by which the judgment may have been paſſed, in conformity with the proviſions contained in the preceding clauſes of this ſection.

In what caſes it ſhall be neceſſary to file an authenticated copy of the decree with the petition of appeal.

Seventh. Under the preceding rules, parties in ſuits decided in the firſt inſtance in a zillah or city court, a provincial court, or the Sudder Dewanny Adawlut, will be enabled to prefer an appeal from ſuch deciſion without the neceſſity of filing an authenticated copy of the decree; but if any party in a ſuit which may be regularly appealable to a provincial court, or to the Sudder Dewanny Adawlut, may be deſirous, under the option allowed by the regulations of preſenting his petition of appeal in the court by which the appeal is to be tried, rather than in the court by which the deciſion may have been paſſed in the firſt inſtance, it ſhall be requiſite for ſuch party to file with his petition of appeal an authenticated copy of the decree.

Parties requiring a copy of a decree to furniſh the requiſite ſtamp paper.

Eighth. For the purpoſe of obtaining an authenticated copy of the decree in ſuch caſes, the party deſiring it ſhall furniſh to the court by whom the deciſion may have been paſſed; one, two or more ſheets or rolls of the ſtampt paper preſcribed in Section XIX, Regulation I, 1814, as may be neceſſary for tranſcribing the decree.

Ninth.

Courts how to proceed when ſuch ſtampt paper may be furniſhed.

Ninth. When ſuch ſtampt paper ſhall be furniſhed, the ſeriſhtedar or ſuch other principal officer, as may be authorized by the court to diſcharge that duty, ſhall endorſe on it the date of its being furniſhed, the name of the party on whoſe account it may be preſented, and the number of the ſuit to which it may be intended to be applicable, and ſhall grant to the party a correſponding receipt for the ſame on unſtampt paper; the copy of the decree ſhall then be prepared and duly authenticated, and ſhall be delivered or tendered to the party by whom the ſtampt paper may have been furniſhed, or to his vakeel in open court, and the date of the delivery or tender of ſuch copy ſhall be alſo endorſed on the copy.

Limitation of time for the admiſſion of appeals how to be calculated in ſuch caſes.

Tenth. The reſpective periods limited by the regulations for the admiſſion of appeals in ſuch caſes, ſhall be calculated from the date on which the deciſion may have been paſſed; excluding from the calculation of ſuch periods, the interval, which may have elapſed in each inſtance between the date on which the requiſite ſtampt paper may have been furniſhed by the party to the court, and that on which the copy of the decree may have been tendered or delivered to the party in open court in the mode preſcribed by the regulations. The courts will in all caſes be enabled to aſcertain ſuch interval by the endorſements on the copy of the decree required to be made under Clauſe Ninth of this ſection.

The proviſions of the three preceding clauſes applicable to copies of decrees or orders from which a party may deſire to prefer a ſpecial or a ſummary appeal.

Eleventh. The principles of the rules contained in Clauſes Eighth, Ninth, and Tenth, of this ſection, are to be conſidered applicable to all copies of decrees, from which a party may be deſirous of preferring a ſpecial or a ſummary appeal; and to all copies of orders paſſed by the judges and regiſters of the zillah and city courts, by the provincial courts, and by the Sudder Dewanny Adawlut, which thoſe courts may be required to furniſh to parties under the proviſions of any regulation.

[illegible]

IX. *Firſt.* Such parts of the regulations in force as require that the pleadings in appealed ſuits be conducted and filed in the ſame manner and under the ſame rules as pleadings in original ſuits are hereby declared ſubject to the following modifications.

of rules regarding pleadings in appeals.

Second. In all regular civil ſuits which may be appealed ſubſequently to the 1ſt of February 1815, to a zillah or city court, to a provincial court, or to the Sudder Dewanny Adawlut; it ſhall be left to the option of the reſpondent either to file an anſwer to the petition and reaſons of appeal, or not, as he may judge proper; provided however, that if no anſwer ſhall be filed by a reſpondent, it ſhall be competent to the court trying the appeal, in all caſes, in which it may be deemed expedient, to direct the reſpondent to file an anſwer to the petition of appeal, or to any particular points in it, which may appear to require an anſwer or explanation.

The reſpondent may file an anſwer to the reaſons of appeal or not at his option.

Proviſo.

Third. No further pleadings beyond the anſwer of the reſpondent ſhall be admitted in any appealed ſuits, which may be inſtituted ſubſequently to the 1ſt February 1815, except the duplicate of the plaint provided for by Clauſe Firſt, Section VII, of this regulation, or ſuch ſupplemental pleadings as may be authorized by the court under the proviſions of Clauſe Third, Section VI, of this regulation.

No further pleadings beyond the anſwer to be admitted with certain exceptions.

X. *Firſt.* In the trial of original regular ſuits, as well as in the trial of appeals in ſuch ſuits, the preſcribed pleadings ſhall be completed and read in open court, before any exhibits are filed, or witneſſes ſummoned in ſupport of the allegations of either of the parties; unleſs ſpecial and ſufficient reaſon be aſſigned for tak[illegible] the immediate depoſition of a witneſs without waiting u[illegible] and read in open court.

Pleadings to be read before exhibits are filed or witneſſes ſummoned.

Exception.

Second. [illegible] the points at iſſue cannot [illegible] reaſon further explanations may be requi[illegible] the day, on which the ſuit may be firſt brought to a hearing, make ſuch enquiries from the parties or their pleaders as may appear neceſſary, with a view to aſcertain the preciſe object of the action, and the grounds on which it is maintained, and ſhall record the reſult on their proceedings.

The courts to record the points neceſſary to be eſtabliſhed by the parties.

Third. The court ſhall then conſider and record the point or points to be eſtabliſhed reſpectively by the plaintiff or appellant, and by the defendant or reſpondent, and ſhall proceed to take the evidence which may be adduced by either party upon ſuch points in the manner preſcribed by the rules in force.

And any additional points which may ſubſequently appear neceſſary.

And no evidence to be admitted except with regard to the points ſo recorded.

Fourth. In like manner if proof ſhall be required on any other points in the courſe of the trial, ſuch points ſhall be recorded on the proceedings, and the proper party ſhall be called upon for the requiſite evidence, and no exhibit ſhall be filed, or witneſs ſummoned, unleſs expreſsly declared to be in proof, or refutation of ſome point, upon which the court may have directed that evidence ſhould be taken.

Evidence of witneſſes which may be required in certain caſes by the provincial courts and the Sudder Dewanny Adawlut, to be taken by the zillah or city judges on written interrogatories.

XI. In modification of Section XI, Regulation XIII, 1808, it is hereby provided, that whenever a witneſs whoſe evidence may be required by the Sudder Dewanny Adawlut, or by a provincial court, may reſide at ſuch a diſtance as to render his attendance before ſuch court inconvenient, or whenever from any cauſe it may be deemed improper to ſummon a witneſs to ſuch court, the Sudder Dewanny Adawlut, or the provincial court, inſtead of merely inſtructing the zillah and city judge upon what points the witneſs is to be examined, ſhall prepare and tranſmit to the zillah or city judge diſtinct written interrogatories to be put to each witneſs; ſuch interrogatories ſhall be prepared and ſigned by the parties or their vakeels under the direction of the court, and ſhall be counterſigned by the judge of the court, who [illegible] examination. The zillah or city judge, to whom ſuch interrogatories may be ſent, ſhall in the firſt inſtance cauſe the depoſitions of the witneſſes to be taken in anſwer to the interrogatories, and ſhall then allow the parties or their pleaders, in whoſe preſence the witneſſes may be examined under Section IX, Regulation XIII, 1808, to put any other queſtions, which may appear relevant to the points at iſſue in the caſe.

Previous notice to be given by the courts of the day, on which a ſuit to be brought to a hearing.

XII. *First.* In order that the parties in a ſuit or their authorized pleaders may be fully prepared to file their exhibits, and to name their witneſſes, as well as to furniſh any explanations of the caſe, which may be required, at the time when the ſuit may firſt be brought to a hearing, the ſeveral courts are enjoined carefully to attend to thoſe proviſions in the regulations which require that eight days previous notice be given to the parties of the day on which the court may propoſe to bring the ſuit to a hearing.

A notification of the day duly affixed in the cutchery, ſhall be a ſufficient notice.

Second. For this purpoſe it ſhall be ſufficient for the court to affix, in ſome conſpicuous place in the court room, a notification, ſpecifying the number of the ſuit, the names of the parties and of the vakeels reſpectively entertained in the ſuit, together with the date on which it may be intended that ſuch ſuit be brought to a hearing before the court, and ſuch notice ſhall be held and conſidered to be in force until the ſuit can be brought to a hearing either on the day fixed or any ſubſequent day.

Courts authorized to fine parties who may be unprepared to file exhibits or to name their witneſſes on the day notified for the hearing of the ſuit.

Further penalty on a repetition of ſimilar neglect.

Third. If either of the parties in a ſuit, which may be brought to a hearing after due notice ſhall have been given in the manner above preſcribed, ſhall not be prepared to file their exhibits, or the names of their witneſſes, or to furniſh any explanations of the caſe which may be required by the court, and ſhall not aſſign ſufficient and ſatisfactory reaſon for the delay, the courts are authorized to impoſe upon ſuch parties ſuch fine as may appear juſt and proper: provided that the fine ſhall in no inſtance exceed one fourth of the fee paid on the inſtitution of the ſuit, or of the amount of the ſtamp duty ſubſtituted for ſuch fee. If a ſimilar neglect ſhall occur a ſecond time after due notice ſhall have been given of the day fixed for the caſe being again brought forward, the courts are authorized either to impoſe a ſecond fine under the limitation above preſcribed, or to proceed as in other caſes of default.

Additional rules regarding ſecurity furniſhed in civil ſuits.

XIII. *Firſt.* The following proviſions are enacted in addition to the rules now in force regarding the ſecurity to be required from parties for the execution of decrees of the civil courts, or for ſtaying the execution of judgments in the civil ſuits during an appeal in ſuch ſuits.

Sureties prohibited from transferring their rights in any immovable property on which their ſecurity may have been accepted.

Second. All perſons who may enter into ſecurity bonds for the purpoſes mentioned in the proceding clauſe, are prohibited from transferring, or from cauſing to be transferred, by ſale, gift, mortgage, or otherwiſe, any land or other immovable property belonging to them, and ſpecified in the ſchedule of property on which their ſecurity may have been accepted, until the object of their ſecurity ſhall have been completely fulfilled.

Explaining the purport and intent of the foregoing prohibition.

Third. This prohibition however ſhall not be conſtrued to affect the legality of any private transfer or mortgage of ſuch property, in caſes in which the amount of any demand on the ſurety, which may eventually ariſe under the terms of the ſecurity bond, ſhall be duly diſcharged by him; but it is hereby declared, that no private transfer or mortgage of ſuch property which may be made by a ſurety in the interval between the execution of the ſecurity bond, and the final and complete enforcement of the judgment, ſhall be conſidered to bar the prior right of the court to hold the whole or any part of ſuch property anſwerable in the firſt inſtance for the amount of any demand upon it, which may eventually ariſe under the terms of the ſecurity bond, and which may not be duly diſcharged by the ſurety.

Modifications of the rules in force regarding the payment of tuluban[illegible]

XIV. *Firſt.* Such part of the regulations in force as authorize the payment of tulubanah (ſubſiſtence or diet money) to peons or other perſons, who may not receive a fixed monthly ſalary from [illegible]ment for ſerving the ſummonſes or other proceſſes of the [illegible] courts, are hereby declared ſubject to the following [illegible] nd additions.

A regiſter of peons employed in ſerving the civil and criminal proceſſes of the zillah and city courts, (who may not receive a monthly ſalary from government) to be prepared.

Second. The judges and magiſtrates of the ſeveral zillahs and cities ſhall call upon their reſpective nazirs for detailed liſts of the peons now employed in the execution of civil and criminal proceſſes, who do not receive a monthly ſalary from government, and after aſcertaining what number is requiſite in addition to the chupraſſies on the public eſtabliſhments for the ſervice of ſuch proceſſes, they ſhall ſelect a ſufficient number of the fitteſt perſons to be ſo employed, and ſhall cauſe their names to be regiſtered with the following particulars, viz. the names of their fathers, their age and places of abode, and a conciſe deſcription of their perſons.

Nazirs not to employ any peons but thoſe who may be duly regiſtered, or who may be officers on the public eſtabliſhment.

Third. The nazirs are hereby ſtrictly prohibited under pain of immediate diſmiſſion, from employing any perſon not regiſtered in the mode above preſcribed, and not being an officer on the public eſtabliſhment, in the ſervice of any proceſs civil or criminal, or in the execution of any order or official act whatever, without a ſpecial authority from the judge or magiſtrate or other public officer competent to give ſuch directions,

Diſtinguiſhing badges to be furniſhed to the regiſtered peons.

Fourth. The peons, who may be regiſtered as above required ſhall be furniſhed with an uniform belt, or ſuch other badge of office at the diſcretion of the judge as ſhall ſuffice to diſtinguiſh them from the chupraſſies on the fixed eſtabliſhments. The expence of ſuch badge ſhall be defrayed out of the tulubanah of the peon receiving the ſame. The judges and magiſtrates of the ſeveral zillah and city courts are to frame a table for regulating the account of tulubanah demandable on the ſervice of proceſs civil and criminal, according to the rates preſcribed by the regulations or eſtabliſhed by uſage. The table ſhall contain a ſtatement of the ſeveral police juriſdictions, or other more convenient local diviſions the computed diſtance of the centrical part of ſuch local diviſion, from the ſudder ſtation, and the number of days for which tulubanah is to be allowed on the ſerving of proceſs within each local diviſion, calculated on the computed diſtance of the centre of each local diviſion from the ſudder

And a table of rates to be prepared, applicable to the ſeveral local diviſions, according to which the tulubanah is to be paid.

The table of rates to be ſuſpended in the cutcherry, and no higher rates to be taken or demanded.

Fifth. The table ſo framed ſhall be ſuſpended for general information in the cucherries of the judge and magiſtrate and of the collector of the diſtrict, and no tulubanah ſhall be allowed in any inſtance beyond the rates, or for a greater number of days, than may be preſcribed in ſuch table without a ſpecial written order from the judge, or magiſtrate, the regiſter, aſſiſtant, or other public officer competent to paſs the ſame.

The amount of the tulubanah demandable and a ſpecific receipt for it to be indorſed on the proceſs, previouſly to its execution.

Sixth. The amount of tulubanah which may be demandable according to the table mentioned in the preceding clauſe, ſhall be ſpecified on the back of each ſummons or other proceſs, and the amount ſhall be paid, by the perſon taking out the proceſs, to the nazir previouſly to the execution of ſuch proceſs: a receipt ſhall be endorſed on the proceſs in each inſtance by the nazir, ſpecifying the amount, and the perſon from whom it was received.

Proviſions where two or more proceſſes may be ſerved by one peon.

Seventh. When two or more proceſſes may be ſerved by one peon, the judge and magiſtrate, or other officer, who may order the ſame to be ſerved, ſhall determine in what proportions the fixed rates of tulubanah ſhall be paid by the parties reſpectively, and ſhall ſign an order to that effect on the face or back of the proceſs.

The peon to receive three fourths and the nazir one fourth of the amount of the tulubanah, when the proceſs ſhall have been executed.

Eighth. When the proceſs ſhall have been executed and returned according to the preceding rules, the nazir ſhall pay to the peon, who may have ſerved the ſame, three fourths of the amount of the tulubanah received by him on account of ſuch proceſs, and the nazir ſhall be entitled to appropriate the remaining one fourth of the tulubanah to his own uſe.

Every precaution to be adopted to prevent undue exactions on account of tulubanah.

Ninth. The judges and magiſtrates, the regiſters, and aſſiſtants, are required to take every poſſible precaution, and to give all practicable attention for the purpoſe of preventing illegal or undue exactions of diet or ſubſiſtence money under the name or pretence of tulubanah.

Modifications of exiſting rules regarding the execution of decrees.

XV. *First.* Such parts of the regulations as are conſtrued to require, that the decrees paſſed in civil ſuits ſhall be executed and enforced by the courts without any application for that purpoſe from the parties, are hereby declared ſubject to the following modifications.

Under what rules the decrees of moonſiffs are to be enforced.

Second. Deciſions paſſed by moonſiffs in all ſuits cognizable by them either previouſly or ſubſequently to the 1ſt of February 1815, ſhall be executed in the manner preſcribed by Section XLV, Regulation XXIII, 1814.

Decrees paſſed previouſly to the promulgation of this regulation to be executed under the rules heretofore in force.

Third. Decrees which may have been paſſed by the zillah or city courts, the provincial courts, or the Sudder Dewanny Adawlut on regular ſuits or appeals previouſly to the promulgation of this regulation, ſhall be executed by thoſe courts according to the proviſions of the regulations heretofore in force, and in the ſame manner as they have hitherto been enforced.

Courts not bound to execute decrees (except in conformity to the following rules) paſſed ſubſequently to the 1ſt of February 1815.

Fourth. The zillah and city courts, the provincial courts, and the Sudder Dewanny Adawlut ſhall not be required to carry into execution any decree, which may be paſſed in original ſuits, or in appeals, ſubſequently to the 1ſt of February 1815, except in conformity with the following rules and proviſions.

Parties deſiring to have their decrees enforced to preſent a petition to the court.

Fifth. Any party who may be deſirous of obtaining the execution of a decree paſſed ſubſequently to the 1ſt of February 1815, ſhall appear either in perſon or by an authorized pleader before the court by whom ſuch decree may have been paſſed, or if the decree ſhall have been paſſed by a ſudder ameen, before the zillah or city judge, and ſhall preſent a petition written on the ſtamp paper preſcribed in Section XVIII, Regulation I, 1814, praying for the execution of the decree.

What the petition is to contain.

Sixth. The petition ſhall ſtate the number of the ſuit, the names of the parties, the date and ſubſtance of the decree, whether any appeal has been preferred or admitted from the deciſion, and whether any and what adjuſtment of the matter in diſpute has been made between the parties ſubſequently to the decree; it ſhall further contain a ſtatement of the ſpecific amount due to the petitioner under the decree, whether on account of coſts of ſuit, or otherwiſe, and the name of the individual, or individuals, againſt whom the enforcement of the decree is ſolicited.

The court how to proceed in the execution of the decree.

Seventh. The court, after cauſing the pur[illegible] petition to be compared with the decree contained in the[illegible]riginal record of the ſuit, ſhall proceed to execute the ſame in conformity with the proviſions which are now in force or which may be hereafter enacted.

In certain caſes ſpecified, the courts to make previous enquiries and to paſs ſuch orders as may appear juſt and proper, with regard to the execution of decrees.

Eighth. Provided however, that if the ſuit ſhall have been tried exparte, or that an interval of more than one year ſhall have elapſed between the date of the decree, and the application for its execution; or that the enforcement of the decree ſhall be ſolicited againſt individuals being heirs or repreſentatives of the original parties in the ſuit, or againſt one only of ſeveral individuals equally affected by the decree, or if there ſhall appear reaſon to believe that the matter in diſpute has been adjuſted by the parties ſubſequently to the decree, either by the voluntary ſurrender of the thing adjudged, or by the payment of the ſum decreed either in whole or in part, by kiſtbundee or otherwiſe, it ſhall be competent to the court, inſtead of proceeding to the immediate [illegible]nforcement of the decree, t[illegible]e a notice to the party againſt [illegible]m execution may be ſ[illegible], requiring him to ſhew cauſe [illegible] a limited period to b[illegible]ed by the court, [illegible]y the decree ſhould not be executed againſt him. If up[illegible] notice the party ſhall not attend in perſon or by vakeel, or ſhall not ſhew ſufficient cauſe to the ſatisfaction of the court why the decree [illegible]uld not be forthwith executed, the court will cauſe the judg[illegible]nt to be ſatisfied according to the rules in force. If the party ſhall attend in perſon or by vakeel, and ſhall offer any objection to the enforcement of the decree, the court ſhall iſſue ſuch order after a due conſideration of the circumſtances of each caſe, as may appear juſt and proper.

Ninth. The preceding rules ſhall not be conſtrued to prevent the courts from iſſuing proceſs of execution, for the purpoſe of recovering any fees or coſts which may be due to government, or any [illegible]eis by a party in a ſuit, whether decided before [illegible] of February 1815. In ſuch caſes, as well as in [illegible] which a party may have been allowed to plead in formâ pauperis; the courts ſhall proceed without any application from the parties to enforce execution of the judgment ſo far as relates to the recovery of the amount of fees, or coſts, due to government, or to pleaders in the ſuit.

Proviſions for recovering coſts due to government and vakeels' fees, and for executing decrees in pauper ſuits.

XVI. *First.* In explanation of Clauſe Second, Section V, Regulation I, 1814, it is hereby enacted that paper of European manufacture, bearing a ſtamp of the value ſpecified in Section XIX, Regulation I, 1814, ſhall be uſed for all copies of decrees in regular or ſummary ſuits, which may be furniſhed to the parties by the judges, aſſiſtant judges, or regiſters of the zillah and city courts, by the provincial courts, and by the Sudder Dewanny Adawlut.

What ſtampt paper to be uſed for copies of decrees furniſhed to parties.

Second. Copies of decrees, which may be prepared by thoſe courts, to remain with their own records, ſhall be written on unſtampt paper of European ma[illegible]e, of the ſame ſize and deſcription as that, which may b[illegible]mpt for the copies of [illegible]s to be deliv[illegible]d to the parties.

On what paper copies of decrees for record are to be written.

Third. Copies of proceedings and orders, accounts, ſtatements, or other papers made for records of court, or for tranſmiſſion to other courts, or public offices, may be written as heretofore on unſtampt paper, except in caſes in which it may be otherwiſe ſpe- [illegible]

Copies of papers made for records or official uſe not required to be written on ſtampt paper.

Copies which individuals may be authorized to make for their own uſe, need not be written on ſtampt paper, but ſhall not be authenticated by any official ſeal or ſignature.

Fourth. It is hereby declared, that the proviſions of Regulation I, 1814, are not intended to preclude individuals from making for their private uſe and at their own expence, copies of judicial or revenue papers, with the permiſſion of the court, collector, or other public officer having charge thereof, on any paper which they may prefer; but if ſuch copies be not made on ſtampt paper, they ſhall not be authenticated by the ſeal or ſignature of any court, collector, or other public officer, and ſhall not be received as evidence in any court of juſtice, or in any public office whatever.

Penalties for filing or furniſhing copies of papers not written on the preſcribed ſtampt paper.

XVII. *First.* Any miniſterial officer, who may hereafter file in any court of juſtice, or in the office of any collector, or other public officer, without the written order of ſuch officer, any petition, pleading, or other document required to be written on ſtampt paper, which may not have been written on the preſcribed ſtampt paper, or who ſhall furniſh a copy of any paper or proceeding required to be written upon ſtampt paper, on any other paper than the required ſtampt paper, ſhall be liable to diſmiſſion from office, and to the payment of a fine to government equal to ten times the amount of the ſtamp duty, which would have been payable if the preſcribed ſtampt paper had been uſed for ſuch petition, pleading, or other document.

Penalty how to be recovered.

Second. Such penalty ſhall be recoverable by a ſummary proceſs in the courts of Dewanny Adawlut.

Rules regarding the ſtampt paper on which copies of certain documents are required to be written.

XVIII. All authenticated copies of the documents ſpecified in Section XI, Regulation I, 1814, which may be prepared as legal vouchers by a cazee, mooftee, or other authorized perſon, ſhall be written on ſtampt paper according to the rates preſcribed for the originals of ſuch deeds: any copies not written on ſuch paper will not be admiſſible in evidence, under Section IX, Regulation I, 1814.

Security bonds and other deeds

XIX. In explanation of Section XI, Regulation I, 1814, it is not relating to any ſpecific ſum of money or any ſpecific value are to be written on ſtampt paper of the value of one rupee.

hereby declared, that ſecurity bonds for appearance (hazer zaminee) ſecurity bonds for the payment of eventual coſts of ſuit, as well as all other ſecurity bonds not being for a ſpecific amount, and all deeds of contract, partnerſhip, or agreement, and engagements of whatever nature which may not relate to a ſpecific ſum of money, or to a ſpecific value, ſo as to make it practicable to apply to them, the table of rates ſtated in Section XI, Regulation I, 1814, are required to be written on ſtampt paper of the value of one rupee, under the penalty declared in Section IX, Regulation I, 1814.

Explanation of certain proviſions in Regulation I, 1814.

XX. *First.* It is hereby explained, that Sections XIII, XIV, XV, XVI, and XVII, Regulation I, 1814, are meant to apply only to original regular ſuits, and to appeals regular or ſpecial, from judgments paſſed on the merits of ſuch ſuits, and not to ſummary ſuits, or to ſummary appeals, or to miſcellaneous petitions or applications of any deſcription.

On what ſtampt paper pleadings

Second. In all original ſummary ſuits and ſummary appeals authorized by the regulations, and in all miſcellaneous applications, the plaint, petition, or application, the anſwer, and [redacted] ings, ſhall be written on the ſtampt XVIII, Regulation I.

The proviſions of Section XV Regulation I, 1814, not applicable to exhibits in certain caſes.

I, 1814, are accompanying or referring to tion or application, which under Section gulation VI, 1797, and Section X, Regulation XLIII, 1803, were formerly liable to the payment of a fee on ſuch exhibits being filed.

Certain applications from revenue officers may be written and filed in the courts on unſtampt paper.

XXI. All applications made by the collectors, or the aſſiſtant collectors, or by the Board of Revenue, or Board of Commiſſioners to the courts of judicature for the apprehenſion or confinement of defaulters, or on any other ſubject relating to the public revenue may be written upon common paper without a ſtamp. This rule however ſhall not be conſidered applicable to any regular ſuit in which the Board of Revenue, or the Board of Commiſſioners, a collector, or an aſſiſtant collector, may be a party either on their own account as individuals, or on the part of government.

Modifications of Sections XV and XVI, Regulation I, 1814, with regard to the mode of filing exhibits and ſummoning witneſſes.

XXII. In modification of Sections XV and XVI, Regulation I, 1814, it is hereby declared, that in lieu of filing a ſeparate derkhauſt or application for the admiſſion of each exhibit, and the attendance of each witneſs, it ſhall be ſufficient to file one or more applications or liſts, including any number of exhibits deſired to be filed, and the names of any number of witneſſes deſired to be ſummoned; provided that ſuch applications or liſts be written on one, two, or more ſheets or rolls of ſtampt paper, the total value of which ſhall correſpond in amount with that of the ſtampt paper, which would have been requiſite had the application for each exhibit, or witneſs, been written on ſeparate ſtampt paper, under the rules contained in Sections XV and XVI, Regulation I, 1814.

[redacted]

[redacted] The valuation of land paying revenue to government, [redacted] Firſt, Section XIV, Regulation I, 1814, be[redacted] diſtinctly aſſeſſed, or to ſpeci[redacted]plained that in ſuits for malgoozaree [redacted] aſſeſſed, or a ſpecific [redacted] land claimed is to be aſſumed and [redacted] Third, of Section XIV, Regulation I, 1814.

Vakaulutnamahs and certain other documents declared to be not liable to the ſtamp duty [redacted] exhibits.

XXIV. It is hereby explained that vakalutnamahs and mokhtarnamahs, arbitration bonds, ſecurity bonds for appearance, as well as ſecurity bonds for the eventual payment of coſts, or for [redacted]e performance of a decree, or for ſtaying or enforcing the exe[redacted] of a decree, which may be executed in any original ſuit [redacted] are not liable to the ſtamp duty on exhibits, preſcribed [redacted]on XV, Regulation I, 1814.

[redacted]

Rules for refunding the ſtamp duty ſubſtituted for the inſtitution fee, in caſes authorized by the regulations.

XXV *First.* With reference to the rules in force under which the civil courts are authorized or directed to return the inſtitution fee or a portion of it to a party in a ſuit, or to his legal repreſentative, it is hereby declared that in ſuits inſtituted ſubſequently to the 1ſt of May 1814, to which the rules above alluded to may become applicable, the courts ſhall cause to be paid to the party or to his legal repreſentative the whole or a portion of the amount of the ſtamp duty ſubſtituted for the inſtitution fee, to which ſuch party may be entitled.

And for the payment of fees to moonſiffs, ſudder ameens and regiſters.

Second. The principles of the preceding rule are declared to be equally applicable to fees payable under the exiſting regulations to moonſiffs, ſudder ameens and regiſters, on the deciſion of ſuits in which the ſtamp duty may have been ſubſtituted for the inſtitution fee.

Inſtructions to be iſſued by the proper officers, regarding the mode of paying ſums due under the preceding clauſes, and of adjuſting the ſtamp accounts.

Third. It ſhall be the duty of the proper officers of government, to iſſue ſuch inſtructions for the guidance of the judicial and revenue officers, as may appear requiſite, with regard to the mode of diſcharging in the firſt inſtance ſuch ſums as may become payable under the two preceding clauſes, and for the purpoſe of facilitating the regular adjuſtment of the ſtamp accounts.

Explanation that deeds of marriage ſettlement to be executed on ſtampt paper.

XXVI. Doubts having ariſen, whether kabeennamahs, or deeds of marriage ſettlement, are to be written on ſtampt paper according to the table of rates contained in Section XI, Regulation I, 1814, it is hereby declared, that the proviſions of that ſection were and are intended to be applicable to deeds of marriage ſettlement, in common with other deeds of contract for a ſpecific amount.

A. D. 1814. REGULATION XXVII.

A REGULATION *for reducing into one regulation, with amendments and modifications, the several rules which have been passed regarding the office of vakeel or native pleader in the courts of civil judicature.*—PASSED *by the Vice President in Council, on the* 29*th of November* 1814; *corresponding with the* 15*th Aughun* 1221 *Bengal era; the* 2*d Aughun* 1222 *Fussily; the* 16*th Aughun* 1222 *Willaity; the* 2*d Aughun* 1871 *Sumbut; and the* 16*th Zeheija* 1229 *Higeree.*

WHEREAS it has been deemed expedient to tranſfer to the provincial courts the control now exerciſed by the Sudder Dewanny Adawlut in the appointment and removal of vakeels or native pleaders in the zillah and city courts; and in the provincial courts: and whereas the ſpeedy adjuſtment of diſputes may be facilitated by empowering the authorized vakeels to receive certain fees for legal opinions furniſhed by them, and by veſting them with authority to act as arbitrators under the general regulations: and whereas it will contribute to the public convenience to reduce into one regulation, with amendments and modifications, the whole of the proviſions, which will be applicable to the office of vakeel or native pleader, the following rules Preamble.

have

h[illegible] paſſed [redacted], to be in force [illegible] 1ſt of February 1815, throughout the whole of the [illegible]mediately ſubject to the preſidency of Fort William.

Regulations reſcinded.

II. [illegible], 1793, ſuch parts of Section IV, Regulation XV[illegible] 1793; of Section II, Regulation XV, 1795; and of Section IV, Regulation XXI, 1803, as prohibit vakeels from being employed as arbitrators; Regulation XIII, 1795; Regulation VIII, 1796; Sections IV and V, Regulation VIII, 1797; Sections IX to XV, incluſive, of Regulation V, 1798; ſuch part of Sections III and IV, Regulation III, 1802, as relates to the fees of vakeels; Regulation X, 1803; and Clauſe Third, Section VI, Regulation XIII, 1808, are hereby reſcinded.

The Sudder Dewanny Adawlut and the provincial courts empowered to appoint the vakeels of their reſpective courts.

III. *Firſt.* The Sudder Dewanny Adawlut and the ſeveral provincial courts are empowered to appoint to the office of vakeel in their reſpective courts, ſuch a number of perſons being natives of India, and duly qualified for the ſituation, as may from time to time, appear to them to be neceſſary.

Vakeels of the zillah and city courts to be nominated by the judges of thoſe courts for the ſanction of the povincial courts.

Second. Whenever the appointment of a vakeel may be requiſite in any of the zillah or city courts, the judge of ſuch zillah or city ſhall nominate for the approbation of the provincial court of the diviſion, ſome perſon being a native of India and duly qualified for the ſituation; and ſhall communicate to the provincial court, ſuch information as he may have obtained regarding the age, capacity, character, education, and paſt employment of the individual, whom he may recommend; and no perſon ſhall be authorized to practice as a vakeel in any zillah or city courts without the previous ſanction of the provincial court.

Pleaders to be either of the [illegible] or Ma-[illegible]

Third. In the nomination and appointment of perſons to the office of vakeel, the judges of the Sudder Dewanny Adawlut, of [illegible] provincial courts, and of the zillah and city courts,

reſi

reſtricted to individuals of the Hindoo and Mahome[illegible] and are required to give the preference to candi[illegible]y have been educated in any of the Mahomedan or [illegible]es eſtabliſhed or ſupported by Government, provid[illegible] an-didates are in other reſpects duly qualified for the ſi[illegible]

Preference to be given to candidates of a certain deſcription.

IV. *Firſt.* Perſons who may hereafter be appointed to the office of vakeel in the zillah and city courts, the provincial courts, or the Sudder Dewanny Adawlut, ſhall receive a ſunnud of appointment duly authenti[illegible] by the court, to which they may be reſpectively atta[illegible] ſunnud, which is not required to be written on ſta[illegible] ſhall be drawn up according to the form No. 1, in the app[illegible]ndix to this regulation.

Pleaders to receive a ſunnud from the courts to which they may be appointed.

The ſunnud to be of a preſcribed form,

Second. Whenever a vakeel may be diſmiſſed from his office, or may die, or may reſign his ſituation, his ſunnud of appointment ſhall be recalled and cancelled by the court, to which ſuch vakeel may have been attached.

And to be cancelled on the death, removal, or reſignation of the pleaders.

V. *Firſt.* Every vakeel, previouſly to being allowed to practice, ſhall take and ſubſcribe before the court, to which he may be appointed, an oath, drawn up according to the form No 2, of the appendix to this regulation, or a ſolemn declaration in lieu thereof, under the proviſions now in force, or any other proviſions which may be hereafter enacted.

Pleaders to take an oath according to the preſcribed form;

or a ſolemn declaration in lieu thereof;

Second. The Mahomedan pleaders attached to the ſeveral courts of civil juſtice ſhall no longer be required to take the half yearly retroſpective oath heretofore preſcribed by the regulations.

but not the half yearly retroſpective oath formerly preſcribed for Mahomedan pleaders.

VI. Pleaders, employed in the ſeveral courts of civil judicature, ſhall be liable to diſmiſſion from their office whenever they may be guilty of encouraging or promoting litigious ſuits; of wilfully delaying the ſuits of their clients for their own advantage; of [illegible]g or omitting, without ſufficient cauſe to be ſhewn to [illegible]

Pleaders liable to be diſmiſſed for certain acts of miſconduct.

c[illegible]

court, to carry on the ſuits of their clients, after having accepted a vakalutnamah; of demanding or accepting from their clients any fee, or ſum of money, goods, effects, or other valuable conſideration beyond the fees, which they are or may be authoriſed to receive under the regulations; or of fraudulent practices, neglect, or other miſconduct, in the diſcharge of their profeſſional duty; or of groſs profligacy or miſbehaviour in their private conduct.

Agreements to receive leſs than the authorized fees declared to be illegal, and vakeels liable to diſmiſſion when parties to ſuch agreements.

VII. All agreements, which may be entered into between pleaders and their conſtituents, for paying or receiving leſs than the eſtabliſhed fees, are to be conſidered null and void; the whole of the vakeels fees, which may be payable by the party in ſuch caſes, ſhall be forfeited to Government; and the pleader who may be convicted of having been a party in ſuch illicit agreement, ſhall be liable to immediate diſmiſſion from his office.

Pleaders accepting vakalutnamahs in fictitious names liable to be diſmiſſed.

VIII. The vakeels are required to uſe due precautions to aſcertain the real names and the identity of perſons, who may propoſe to employ them as pleaders; and any authoriſed vakeel, who ſhall hereafter receive and file a vakalutnamah from any perſon under a fictitious name, ſhall be liable to be diſmiſſed from his office; provided however, that the judge upon full enquiry into the circumſtances of the caſe, and the provincial court, on conſideration of the judges report, ſhall deem him to be deſerving of ſuch puniſhment.

Vakeels required to examine and ſign the pleadings before they are filed.

IX. *First.* The vakeels are hereby enjoined not to file any plaint, anſwer, or other pleading, without previouſly aſcertaining that ſuch pleading has been duly prepared in conformity with the regulations; that it contains no unneceſſary repetitions of former pleadings, no terms of perſonal abuſe or reproach againſt the oppoſite party, his vakeels, witneſſes, or other perſons; and no groundleſs imputations on any court of juſtice or public officer; but that it contains ſuch matter only as is apparently material and relevant to the ſuit. Every pleading filed by an authoriſed vakeel, ſhall be ſigned by him in teſtimony of his having conſidered and approved its contents.

Second

Pleaders to examine exhibits previouſly to their being filed on the part of their clients.

Second. In order that the expence, trouble, and inconvenience frequently experienced by filing irrelevant exhibits, and by ſummoning uſeleſs witneſſes, may be avoided, the vakeels are hereby further required to examine the documents, which their conſtituents may propoſe to exhibit in proof of their claims, previouſly to their being filed in court; and to aſcertain from their conſtituents, previouſly to ſummoning any witneſſes, the ſpecific points which ſuch witneſſes are expected to prove by their teſtimony.

And not to ſummon witneſſes without previouſly aſcertaining to what points their teſtimony is required.

Pleaders to be cenſured and eventually diſmiſſed for breach of the preceding rules.

Third. The courts will carefully point out to the notice of the vakeels ſuch parts of the pleadings as are evidently irregular, irrelevant, or otherwiſe objectionable, and ſhall record their cenſure of any vakeel, whoſe conduct in oppoſition to the preceding rules, may in any particular inſtance, demand ſuch animadverſion. If notwithſtanding ſuch recorded cenſure, a vakeel ſhall again be guilty of ſimilar miſconduct, he ſhall be liable to forfeit in each inſtance the amount of the fee to which he may be entitled in the ſuit, or to ſuch other fine to government not exceeding twenty rupees as the court may deem it proper to impoſe.

The Sudder Dewanny Adawlut and the provincial courts authorized to diſmiſs the pleaders of their reſpective courts.

X. *First.* The Sudder Dewanny Adawlut and the ſeveral provincial courts will, at all times, exerciſe their diſcretion in removing from his office any pleader of their reſpective courts, who may be guilty of any of the acts abovementioned, or who may be otherwiſe deemed unfit for the ſituation.

Miſconduct or diſqualifications of pleaders attached to the zillah and city courts to be reported by the judges of thoſe courts to the provincial courts.

Who will paſs ſuch order thereon as may be proper.

Second. Whenever a zillah or city judge ſhall be of opinion that a vakeel, attached to his court, or to that of a regiſter, or any of the ſudder ameens, is unfit for the ſituation, in conſequence of his having been guilty of any of the acts mentioned in the preceding ſections, or that he is otherwiſe diſqualified for the office of pleader, the judge ſhall report the circumſtances of the caſe, together with his own opinion upon it to the provincial court, who will paſs ſuch orders on the caſe as may appear to be proper, or will call for any additional information, or direct any further enquiry that the [illegible]umſtances of each caſe may appear to demand.

Pleaders attached to zillah and city courts may be ſuſpended from office without the previous ſanction of the provincial court.

Such caſes to be immediately reported for the information and orders of the provincial court.

XI. [illegible] and city judges are empowered without the pre[illegible] of the provincial court to ſuſpend from his office a[illegible]ached to their courts, who may be guilty of any groſ[illegible] fraud or miſconduct, but in ſuch inſtances it ſhall be the duty of the judge to report the circumſtances of the caſe, with as little delay as poſſible, for the information and orders of the provincial court.

In what caſes the pleaders are liable to be proſecuted in the civil court by their clients.

XII. *Firſt.* The parties in a cau[illegible]ed to proſecute their repective pleaders in the civil [illegible] of ju[illegible]cature for any damages or injury, which they may have ſuſtained from any breach of the regulations on the part of their pleaders, or from any fraudulent conduct or malpractices committed by their pleaders regarding the ſuit.

Parties may withdraw the management of a depending ſuit from their pleaders, and may appoint new pleaders in their room.

Second. Any party in a ſuit, who may be diſſatisfied with the conduct of his pleader, ſhall be at liberty at any ſtage of the trial previouſly to the deciſion, to withdraw the power delegated to his pleader and to appoint another vakeel to plead the cauſe. In ſuch caſes the party is to preſent a petition to the court, notifying that he has withdrawn the management of the ſuit from ſuch pleader, and is to file a new vakalutnamah in the name of the pleader, whom he may appoint to carry on the ſuit; all acts however which may have been done by the firſt pleader on the part of his client, previouſly to his having been diſmiſſed, are to be held valid; on the concluſion of the ſuit, the court will exerciſe its diſcretion in awarding to the pleader firſt employed, any portion of the authorized fee to which he may appear juſtly entitled on a conſideration of the trouble which he may have undergone, and the other circumſtances of the caſe

The court may award to a pleader ſo removed any portion of the fee which may be proper.

Meaſures to be adopted when a pleader may be unable to at-

XIII. If a pleader ſhould be unable to attend the court in [illegible] ſequence of indiſpoſition, or other ſufficient reaſon, he is t[illegible]

the

tend the court from indiſpoſition or other ſufficient cauſe.

the ſame in writing to the court on unſtampt paper, and the hearing of any cauſe, in which ſuch pleader may be employed, is to be poſtponed to a future day, unleſs the party or his autho[illegible] agent ſhall commit the management of the cauſe to [illegible] of the court, or unleſs the party himſelf ſhall be [illegible] willing to plead the cauſe in perſon. If the managemen[illegible] the cauſe ſhall be entruſted to any other pleader of the court, inſtead of filing a new vakalutnamah, it ſhall be ſufficient for the party or his mokhtar duly authorized, to endorſe on the back of the original vakalutnamah, a written declaration, that he has appointed ſome other vakeel of the court to conduct the cauſe, either permanently or during the abſence of the pleader firſt appointed; on paſſing a deciſion in ſuch caſes, the court ſhall direct the amount of the authorized fee to be divided between the two pleaders in ſuch proportions as may furniſh an equitable remuneration for the trouble, which they may have reſpectively undergone.

Penalties for pleaders abſenting themſelves from court without notifying the cauſe of their abſence.

XIV. *Firſt.* If a pleader ſhall fail to attend in court on any day fixed for the tranſaction of civil buſineſs, and ſhall omit to notify in writing to the court his inability to attend, in conſequence of indiſpoſition or other ſufficient cauſe, the court is authorized to impoſe on ſuch pleader, a fine, for the firſt offence, not exceeding the ſum of fifty ſicca rupees; and for the ſecond offence, not exceeding one hundred ſicca rupees. If ſuch pleader ſhall be guilty of a ſimilar offence a third time, he ſhall be liable to diſmiſſion from his office.

Pleaders may be fined 100 rupees for diſreſpect to the court.

Second. If any pleader ſhall be guilty of diſreſpect to the court, in open court, the court is empowered to impoſe a fine upon him, not exceeding the ſum of one hundred rupees.

Fines impoſed on pleaders by the ſudder ameens to be reported to the zillah or city judge.

XV. *Firſt.* Whenever a ſudder ameen may find it neceſſary to impoſe any fine on a pleader attached to his court, he ſhall report the circumſtances of the caſe to the judge, who will either confirm and enforce, or modify or remit the fine, as may appear to him reaſonable and proper.

Secon

The orders of zillah and city judges, and regiſters impoſing fines on pleaders to be concluſive.

Second. All orders impoſing fines on pleaders, which may be paſſed by the judges or regiſters of the zillah and city courts, in conformity with this regulation ſhall be final; and the amount of the fines ſhall be levied either by a deduction from the fees, which may become due to the offender, or by the proceſs, which is preſcribed for the execution of decrees.

Proviſo.

Provided however, that if a zillah or city judge ſhall in any particular inſtance, ſee reaſon to believe, that a fine has been impoſed by a regiſter on inſufficient grounds, or that the amount of ſuch fine is diſproportionate to the offence, it ſhall be competent to the zillah or city judge to remit or modify the fine at his diſcretion, and the order of the zillah or city judge, in ſuch caſes, ſhall be concluſive.

Vakeels not allowed to plead in other courts than in thoſe to which they may be attached. Exceptions.

XVI. The vakeels attached to one court, are not to be allowed to plead in any other court; but this rule is not intended to preclude the zillah and city judges from making ſuch an allotment and diſtribution of the pleaders attached to their courts, as may from time to time appear convenient on a conſideration of the civil buſineſs in their own courts, and in thoſe of their regiſters and of the ſudder ameens. The judges of the Sudder Dewanny Adawlut and provincial courts will alſo of courſe be at liberty to make any diſtribution of the vakeels attached to their reſpective courts, which may be found convenient for the diſpatch of buſineſs in ſittings which may be held before the ſeparate judges of thoſe courts.

Vakeels prohibited from being employed as agents or mokhtars in the foujdaree courts of the zillahs and cities.

XVII. The authoriſed pleaders of the zillah and city courts are hereby prohibited without obtaining the previous ſanction of the judges of thoſe courts from officiating as agents, or mokhtars in any proſecution, trial or proceeding before the magiſtrates or their aſſiſtants. This prohibition however is not intended to apply to the caſes of pleaders, who may be employed on the part of Government in conducting the proſecution of perſons charged with criminal offences, or in the execution of any other duties in the criminal department, which ſuch pleaders may be directed or authoriſed to perform on the part of Government under the regulations, which are now or may hereafter be in force.

Publication to be iſſued on the death, reſignation or removal of a pleader in a zillah or city court.

What the publication is to contain.

XVIII. *Firſt.* Whenever a vakeel attached to a zillah or city court may die, or may be removed from his office, or may voluntarily reſign his ſituation, the judge of ſuch zillah or city ſhall notify the ſame in a publication, to be affixed in his own cutcherry, and in the cutcherries of the regiſter, ſudder ameens, and the collector of the diſtrict. The publication ſhall contain a ſtatement of the ſeveral depending caſes, in which ſuch vakeel may have been employed, and a requiſition to the parties who have retained ſuch vakeel to attend in perſon, or to ſubſtitute another vakeel in room of the pleader formerly appointed by them, within a reaſonable period, to be fixed by the court not being leſs than ſix weeks. In ſuch inſtances, inſtead of filing a new vakalutnamah, it ſhall be ſufficient for the party or his mookhtar duly authorized to endorſe on the back of the original vakalutnamah a written declaration, that he has appointed ſome other vakeel of the court, in lieu of the pleader, who may have died or reſigned his office, or have been removed from his ſituation.

Such publication to be conſidered a good and ſufficient notice.

Second. A publication iſſued in conformity with the preceding rules ſhall be held and conſidered to be a good and ſufficient notice, and if any party ſhall not attend or appoint another vakeel, within the period limited in the publication, he ſhall be required to ſhew cauſe for the omiſſion, and if ſufficient cauſe be not aſſigned, the court ſhall proceed as in caſe of default in conformity with the proviſions in force.

Publication to be iſſued on the death, reſignation, or removal of a pleader in the provincial courts or in the Sudder Dewanny Adawlut.

Third. A ſimilar notification ſhall be iſſued on the death, reſignation or removal of any pleader attached to the provincial courts, or to the Sudder Dewanny Adawlut. If the pleader ſhall have been attached to a provincial court, the publication ſhall be affixed in the cutcherry of ſuch provincial court, and of the Sudder Dewanny Adawlut, and in the cutcherries of the ſeveral zillah and city courts, included in the diviſion, and the period to be allowed for parties to appear and to ſubſtitute another vakeel ſhall not be leſs than two months ; if the pleader ſhall have been attached to the Sudder Dewanny Adawlut, the publication ſhall be affixed in that court, and in ſuch of the provincial courts, and of the zillah and city courts, in which it may appear neceſſary to publiſh the ſame with reference to the depending cauſes in which the vakeel may have been employed, and the period to be allowed to parties to appear and ſubſtitute a[illegible] vakeel, ſhall not be leſs than three months.

Similar publication may be iſſued in other caſes.

Fourth. The courts are auth[illegible]y the principle of the preceding rules to caſes, in whic[illegible] decision of ſuits may be materially delayed by the protracted indiſpoſition of a pleader, or by his continued inability to attend the court from any other cauſe which may be expected to be permanent, or of conſiderable duration.

Courts empowered to adjudge a reaſonable portion of the fee to a pleader who may have been removed from the management of a cauſe without any fault on his part.

Fifth. Whenever a pleader originally entertained by a party may have commenced the pleadings and proſecution, or defence of a ſuit, and from any cauſe, not originating in the miſconduct of ſuch pleader, another pleader ſhall be employed in his ſtead ; it ſhall be competent to the court, in which the ſuit is decided or terminated, to adjudge to the pleader ſo employed at the commencement of the ſuit (or if he be dead, to his heirs or legal repreſentatives) ſuch part of the eſtabliſhed fee, as may appear to be an equitable remuneration for the trouble which he may have undergone.

Pleaders may be employed as

XIX. The courts of civil judicature are hereby empowered to permit any of the authorized vakeels of their reſpective courts to be arbitrators in depending ſuits, ſubject to the ſeveral rules and proviſions in force for referring ſuits to arbitration.

Pleaders may

XX. *First.* The auth

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dawlut, of the provincial courts, and of the zillah and city courts, are hereby empowered to receive fees for legal opinions under the proviſions contained in the following clauſes of this ſection.

A written ſtatement of the caſe to be ſubmitted to the pleader.

Second. Any perſon, who may be deſirous of obtaining the opinion of an authorized pleader regarding the legal validity and ſufficiency of any claim, right or title, which he may ſuppoſe himſelf to poſſeſs, and on the conſequent expediency of proſecuting or defending either o[illegible]lly or in appeal ſuch ſuppoſed claim, right or title in the [illegible] judicature, may ſubmit a written ſtatement of hi[illegible] [illegible]der his ſeal, ſignature, or mark, to the pleader, whoſe op[illegible] [illegible] may wiſh to obtain.

The pleader to give a written declaration of his opinion.

Third. The pleader, to whom ſuch ſtatement may be ſubmitted, after an attentive conſideration of the laws, regulations, uſages, or precedents. which may be applicable to the caſe, and of the arguments, and proofs which may be adduced in ſupport of the claim, ſhall furniſh to the party under his ſignature, a written declaration of his opinion, and of the grounds, upon which that opinion may be formed.

Rates of fees to be allowed in ſuch caſes.

Fourth. If the pleader, who may have furniſhed ſuch written opinion, ſhall be attached to the court of Sudder Dewanny Adawlut, he ſhall be entitled to a fee of twenty-four rupees. If he ſhall be attached to any of the provincial courts, he ſhall be entitled to a fee of ſixteen rupees. If he ſhall be attached to a zillah or city court, he ſhall be entitled to a fee of eight rupees.

But pleaders who may have accepted a vakalutnamah in

Fifth. Provided however, that it ſhall not be lawful for any pleader, who may have received a vakalutnamah in any ſuit inſtituted in a court of civil judicature, to receive the fee above preſcribed on account of any legal opinion, which he may ſubſequently furniſh to his conſtituent reſpecting any ſubject or queſtion connected with ſuch ſuit.

to penalties for wilfully furniſhing a diſhoneſt opinion.

knowingly furniſh an opinion of a nature evidently calculated to promote the inſtitution of unfounded or litigious ſuits, or to diſcourage the amicable adjuſtment of dubious claims, ſhall be liable to be diſmiſſed from his office; and if after furniſhing ſuch diſhoneſt opinion he ſhall be employed as a pleader in the ſuit, his fees ſhall be liable to be forfeited by order of the court, either to government or to the party whom he may have wilfully miſled by ſuch opinion.

Retaining fee aboliſhed.

XXI. *First.* When a party in a cauſe may be deſirous of retaining a vakeel for the proſecution or defence of any civil ſuit, he ſhall not be required to pay to ſuch vakeel the retaining fee of four annas, heretofore preſcribed, but he ſhall execute to him a vakalutnamah, conſtituting him pleader in the cauſe and authorizing him to proſecute or defend the ſuit and further binding himſelf to abide by and to confirm all acts which ſuch pleader may do or undertake in his behalf in the cauſe, in the ſame manner as if ſuch party had been perſonally preſent and conſenting; the party is to atteſt the inſtrument with his ſeal or ſignature, or with his mark if he cannot write, in the preſence of two credible witneſſes, who are likewiſe to atteſt it in the ſame manner; and who are to attend the court and prove the vakalutnamah in all caſes in which it may be judged requiſite.

Rules for the execution of a vakalutnamah.

Vakalutnamahs to be written on ſtampt paper but not liable to the exhibit fee.

Second. Such vakalutnamahs are to be written on the ſtampt paper preſcribed in Section XVIII, Regulation I, 1814, but ſhall not be liable to the ſtampt duly on exhibits under Section XV, of that regulation.

Pleaders after accepting a vakalutnamah are prohibited from being employed in the ſame cauſe againſt the party who may have ſo retained them.

XXII. When a vakeel to whom a vakalutnamah may have been executed under the preceding ſection, ſhall conſent to undertake the proſecution or defence of the ſuit, he ſhall affix his ſignature to the back of the vakalutnamah, together with the date on which ſuch ſignature may be affixed; and ſhall thenceforward be precluded from being employed in the ſame cauſe againſt the party who may have ſo retained him.

XXIII.

Security formerly required for the payment of vakeel's fees no longer neceſſary.

But the amount of the fees to be depoſited in court.

XXIII. *First.* Whenever a pleader may have been duly appointed on the part of any plaintiff or appellant in any regular or ſummary ſuit inſtituted in a zillah or city court, a provincial court, or in the Sudder Dewanny Adawlut, ſuch plaintiff or appellant inſtead of furniſhing ſecurity, as heretofore required, ſhall depoſit in the court a ſum equal to the amount of his pleader's fee; according to the rate preſcribed in the following ſection as applicable to regular ſuits, and in Section XXXII, as applicable to ſummary ſuits, and until ſuch depoſit be made, no vakeel ſhall be allowed to do any act in the ſuit except in the caſe of paupers, or in other caſes ſpecially provided for by the regulations; a ſimilar depoſit ſhall likewiſe be required from defendants or reſpondents for the fees of the pleaders, whom they may employ; and until ſuch depoſit be made, the vakeels ſhall not be allowed to plead or to perform any act in the ſuit on the part of their conſtituents except in the ſpecial caſes abovementioned.

Receipt to be granted for ſuch depoſit.

Second. A receipt on unſtampt paper duly atteſted by the treaſurer of the court, ſhall be granted in each inſtance to the party making the depoſit; and a duplicate receipt ſimilarly atteſted ſhall be filed with the proceedings in the ſuit: an account of ſuch depoſits ſhall alſo be regularly entered into a regiſter book to be kept by the treaſurer of the court for that purpoſe.

And a regiſter book of ſuch depoſits to be kept by the treaſurer of the court.

Receipts and regiſter book to be drawn up according to preſcribed forms.

Third. The receipts ſhall be drawn up according to the form No. 3, and the regiſter book ſhall be prepared and kept according to the form No. 4, of the appendix to this regulation.

In what caſes the preceding rules are not applicable.

XXIV. The preceding rules are not intended to be applicable to the fees of vakeels, employed on the part of paupers, or in preſenting to the courts miſcellaneous petitions, or applications of the deſcriptions mentioned in Section XXXIV, of this Regulation. In ſuch caſes no previous depoſit or ſecurity ſhall be demanded on account of the vakeel's fee, but the amount of the fee, which may be ultimately awarded by the court under Section XXXV, ſhall be levied in the manner preſcribed for the execution of decrees, in all inſtances in which the interpoſition of the authority of the court may be requiſite for the purpoſe of realizing ſuch fee.

Specification of the rates of fees payable to vakeels in regular ſuits.

XXV. *First.* In all regular ſuits, which may be inſtituted, either originally or in appeal, ſubſequently to the 1ſt of February 1815, in any of the zillah or city courts, the provincial courts, or the Sudder Dewanny Adawlut, the vakeels employed by the reſpective parties are to be allowed, for pleading the cauſes of their clients, the rates of fees calculated as follows:

In ſuits for money, effects, or [illegible] perſonal property, or for land or other immoveable property of any deſcription, if the amount or value of the claim eſtimated according to the proviſions of Section XIV, Regulation I, 1814, ſhall not exceed 5,000 ſicca rupees, five per cent.

If the amount or value ſhall exceed 5,000 rupees, and ſhall not exceed 20,000 ſicca rupees, on 5,000 as above, and on the remainder, two per cent.

If the amount or value ſhall exceed 20,000 rupees, and ſhall not exceed 50,000 rupees, on 20,000 as above, and on the remainder, one per cent.

If the amount or value ſhall exceed 50,000 ſicca rupees, and ſhall not exceed 89,000 ſicca rupees, on 50,000 as above, and on the remainder eight annas per cent.

If the amount or value ſhall exceed 80,000 rupees, the fee to the vakeel ſhall be one thouſand rupees, and ſhall in no inſtance exceed that ſum, however great may be the value or amount of the ſuit in which ſuch vakeel may be employed.

Fractions of rupees to be rejected in the preceding calculations.

Second. In all the preceding calculations, where the amount or value may be in fractions of rupees, ſuch fractions are to be rejected in calculating the fees thereupon.

Preſcribed fees to be received without any de-

Third. The rules heretofore in force providing for a deduction of five per cent from the amount of the fees payable to vakeels having heen reſcinded by Regulation I, 1814, it is hereby declared, But a receipt to be given for them on ſtampt paper.

ed, that the vakeels are to receive the full amount of their fees without any deduction whatſoever; provided nevertheleſs, that for every ſum which may be paid to a vakeel by a civil court, on account of his fees, ſuch vakeel ſhall give a receipt, written on the ſtampt paper preſcribed in Section XI, Regulation I, 1814.

Pleader's fees how to be charged in the judgment.

XXVI. *First.* If the decree ſhall be given againſt the defendant or reſpondent, and the whole of the money or property, which may be demanded by the appellant or plaintiff ſhall be decreed to him, a ſum equal to the whole of the fees of his pleader ſhall be adjudged to the plaintiff or appellant, in addition to the other coſts which may be awarded to him, but if only a part of the money or property claimed, is decreed to the plaintiff or appellant, a ſum bearing the ſame proportion to the money or to the value of the thing decreed, as the fee did to the demand ſtated in the plaint or appeal, is to be decreed and added to the coſts, which may be awarded to the plaintiff or appellant.

Continuation of the ſame ſubject.

Second. If the ſuit of the plaintiff or appellant ſhall be diſmiſſed, whether upon an inveſtigation of the merits or otherwiſe, the plaintiff, or appellant, is to be charged with the fees of his own pleader and with thoſe of the defendant or reſpondent.

Proviſo.

Third. Provided however, that if in any inſtance the payment of the pleaders fees, according to the preceding rules, ſhould not appear to be juſt and equitable, the courts of civil judicature may exerciſe their diſcretion in charging the fees of the pleaders to the parties reſpectively, in ſuch proportions as may appear equitable and proper, under a conſideration of all the circumſtances of the caſe.

All legal expenſes and coſts to be included in the decree and to be charged to the parties in ſuch mode as may appear equitable.

XXVII. The courts of civil judicature are to inſert in their decrees all ſums paid or payable by the parties under the regulations, on account of fees or ſtamp duties, as well as on account of compenſation for the expenſe of witneſſes, and of ſubſiſtence money to peons employed in ſerving the proceſſes of the courts, and of all other coſts and expenſes of the ſuit. Such coſts and expenſes ſhall be ultimately charged to the parties caſt, or to the parties reſpectively, in ſuch proportions as the court may deem equitable.

Diſcretion veſted in the courts to return a portion of the pleader's fee in certain caſes to the party who may have depoſited it.

XXVIII. When a ſuit in which one of the parties may have been admitted to plead as a pauper, may be decided with coſts in favour of the adverſe party, and ſuch pauper cannot make good the full amount of the coſts awarded againſt him, the courts are authorized to return to ſuch adverſe party, any portion of the fee, depoſited by him on account of his vakeel, which may be deemed expedient, and to pay the remaining portion of the fee to the vakeel entitled to receive it; in exerciſing this diſcretion, the courts will be careful, that the vakeel receive ſuch a portion of the depoſit as may in each inſtance appear to be a reaſonable remuneration for the duty performed by him. The courts ſhall further endeavour to realize the remainder of the fee due to ſuch vakeel, from any property which may ſubſequently be found to belong to the pauper.

Pleaders fees to be paid on the determination of the ſuit.

XXIX. Upon a deciſion being paſſed by the court, whether upon an inveſtigation of the caſe or otherwiſe, the fees of the pleaders depoſited in the court, ſhall be paid to the perſons reſpectively entitled to receive them, and ſuch payment ſhall not be ſtayed or poſtponed, in conſequence of an appeal being preferred from the deciſion.

Rules where two or more pleaders may be employed by the ſame party.

XXX. *First.* The parties in a ſuit are reſpectively permitted to entertain two or more pleaders, who ſhall either divide the authorized fee between them, in an equal, or in any other proportion, which may have been previouſly agreed upon between them and their conſtituent; or ſhall each be entitled to receive the full eſtabliſhed fee, as may be ſpecified in the vakalutnamah; but all ſtipulations to this effect ſhall be diſtinctly ſtated in the vakalutnamah,

lutnamah, which ſhall otherwiſe be conſtrued to entitle the whole of the vakeels appointed by it to an equal diviſion of the eſtabliſhed fee and no more.

In ſuch caſes one vakalutnamah only is requiſite.

Second. It ſhall be ſufficient in ſuch caſes for the party employing two or more vakeels in the ſame ſuit, to file a ſingle vakalutnamah, but the party ſhall be required to depoſit in court, the whole amount of the fees payable to his pleaders, under the rules contained in Section XXIII.

When two or more pleaders may be employed, the adverſe party ſhall in no caſe pay more than the preſcribed fee for one pleader.

Third. If the party ſhall agree to pay to each of the vakeels employed by him the full amount of the authorized fee, the oppoſite party in the ſuit ſhall in no caſe be required to make good more than the fee of one of thoſe pleaders, or ſuch part of that fee as may be adjudged againſt him by the court. The fees of the other pleader are to be conſidered as a ſeparate expenſe to be defrayed excluſively by the party entertaining him, and for which he is not to be reimburſed in any caſe whatever.

Rules for the payment of vakeels' fees when the ſuit may be withdrawn or diſmiſſed without an inveſtigation of the merits of the caſe.

XXXI. *First.* If a ſuit ſhall be withdrawn or diſmiſſed on default without a determination upon the merits of the caſe before all the requiſite pleadings ſhall have been filed in court, the reſpective pleaders of the plaintiff and defendants, or of the appellant and reſpondent, ſhall each be entitled to only one-fourth of the eſtabliſhed fee which they would have received, had the ſuit been brought to a regular deciſion by the court. If a ſuit ſhall be withdrawn or diſmiſſed on default, after all the requiſite pleadings ſhall have been filed in court, the reſpective pleaders are to be entitled to one-half the fees which they would have reseived, if judgment had been given in the cauſe. The fees in both of the abovementioned caſes are to be charged to the plaintiff or appellant withdrawing the ſuit, or ſuffering it to be diſmiſſed on default, together with all the admitted coſts incurred by the defendant or reſpondent.

Second.

Rules applicable to the fees of pleaders in ſuits adjuſted by razeenamah.

Second. The ſame rule ſhall be conſidered applicable to caſes adjuſted by razeenamah, except that the fees of the pleaders and all other coſts of the ſuit ſhall be paid by the parties in ſuch manner and proportions as may have been agreed upon and inſerted in the razeenamah.

Pleaders employed in ſummary ſuits to receive only one fourth of the fee preſcribed in regular ſuits.

XXXII. The vakeels, who may be employed by the reſpective parties in ſummary ſuits and ſummary appeals for the recovery of arrears of rent or revenue, or for recovering the poſſeſſion of land, and generally in all other ſuits and appeals, in which a ſummary proceſs is authorized by the regulations, are to be allowed for pleading ſuch ſummary ſuits, a fee equal to one fourth of the fee, which they would have received, had ſuch ſuits been inſtituted as regular and not as ſummary ſuits.

Such fees to be depoſited in court, as in regular ſuits.

XXXIII. The fees, which may be payable under the foregoing ſection, ſhall be depoſited in court, and paid to the vakeels entitled to receive them in the ſame manner, as is preſcribed in regular ſuits under the preceding rules of this regulation.

Pleaders to receive a fee of four annas for preſenting miſcellaneous petitions and applications.

Unleſs ſuch applications may be connected with a ſuit, in which the pleader is or may have been employed.

XXXIV. The pleaders in the ſeveral courts of civil juſtice are permitted to demand, and receive a fee of four annas for each miſcellaneous petition or application which they may preſent, or motion which they may make, in writing to the court, provided that ſuch petition, application, or motion, ſhall not relate to any ſuit depending before the court, wherein the perſon, on whoſe behalf they may preſent ſuch petition, or application, or make ſuch motion, may be a party; but all petitions, applications, or motions preſented or made to any of the courts on behalf of parties in a ſuit, on which the fees preſcribed by Sections XXV and XXXII may have been paid, or may be payable, are to be conſidered as paid for, by the fee allowed to the pleaders in the abovementioned ſections; and the pleaders are to make all ſuch motions and do all ſuch acts as may be requiſite relative to any ſuit, in which they may have been entertained, not only during the trial of ſuch ſuit, but after a deciſion ſhall have been paſſed, until the final judgment ſhall have been enforced.

Mode in which ſuch fee is to be paid.

XXXV. The fee of four annas for miſcellaneous, petitions and motions, preſcribed in the above ſection, is not required to be depoſited in the court, but is to be paid by the party himſelf to the vakeel, at ſuch time as may be mutually agreed upon; but as caſes may occur, in which the above fee of four annas may not be a ſufficient compenſation to the pleader or pleaders, the ſeveral courts of civil juſtice are authorized to award ſuch additional fee in any inſtance as they may conſider to be a reaſonable compenſation to the pleader for the duty performed by him, and to cauſe payment thereof to be made either by the party, who may have employed ſuch pleader or pleaders, or as coſts of ſuit by the oppoſite party, as may be deemed juſt and proper; provided however, that the compenſation, which may be awarded in ſuch caſes, ſhall in no inſtance exceed one fourth of the eſtabliſhed fee to which the pleader or pleaders would have been entitled on a regular ſuit in the caſe in queſtion.

Proviſions for the payment of a higher fee, in caſes on which it may appear to be equitable.

Pleaders to give written receipts for documents entruſted to them by their clients.

XXXVI. Pleaders are to give written receipts on unſtampt paper for all accounts, writings, or documents, which may be delivered to them by their clients in the courſe of any ſuit, or proceſs; if a pleader ſhall refuſe to return ſuch accounts, documents, or writings; the court upon a petition being preſented to them for that purpoſe by the owners of the papers ſo with-held, ſhall cauſe them to be reſtored.

Rules for the appointment of pleaders on the part of Government.

XXXVII. *First.* One or more of the authorized pleaders of the Sudder Dewanny Adawlut, of the provincial courts, and the zillah and city courts, ſhall be appointed for the purpoſe of conducting the proſecution or defence of any ſuits in thoſe courts reſpectively, which may be directed to be carried on at the public expence, by any regulation or by a ſpecial order from the Governor General in Council, or other authority competent to paſs ſuch

orde

order. Thoſe pleaders ſhall be furniſhed with a ſunnud or written authority to that purport, in the Engliſh and Perſian Languages, under the ſignature of the Secretary to Government in the Judicial Department, and the ſunnud ſhall be drawn up according to the form No. 5, of the appendix to this regulation.

The death or removal of a pleader on the part of Government, as well as the nomination of a ſucceſſor to be reported to the Secretary to Government in the Judicial Department.

Second. The ſeveral courts of juſtice ſhall report to the Secretary to Government in the Judicial Department, the death, reſignation, or removal of any of the vakeels of Government attached to their reſpective courts; and ſhall at the ſame time nominate for the approbation of Government, a proper perſon, being one of the authoriſed vakeels of the court to ſucceed to the vacant office. The courts ſhall in all inſtances ſelect from amongſt the eſtabliſhed pleaders, ſuch individual as may appear beſt qualified for the ſituation by his character and capacity.

Duties to be performed by pleaders on the part of Government.

Third. The pleaders for Government are to undertake all cauſes which they may be directed to plead by orders from Government, or which may be directed by any Regulation, to be carried on at the public expence, upon receiving an order for that purpoſe, either from Government, or from any officer or officers empowered by any regulation to ſuperintend, and to furniſh inſtructions for conducting ſuch ſuits. The order of Government, or of ſuch officer or officers, is to be filed in court as the authority of the pleader to plead the cauſe, and is to form part of the record of the proceedings.

Such pleaders prohibited from adviſing parties oppoſed to Government.

Fourth. The pleaders of Government are prohibited from giving any advice to the parties oppoſed to Government in any civil ſuit or proceeding, and from being concerned directly or indirectly on their behalf, in ſuits which are directed to be carried on at the public expence; but in all other ſuits the pleaders of Government are to be at liberty to plead for either of the parties in the ſame manner as the other authoriſed pleaders of the court.

What fees they

Fifth. The pleaders for Government are to be paid the ſame fees in cauſes directed to be pleaded at the public expence, as pleaders employed in cauſes between individuals, and under the ſame rules and reſtrictions; provided however, that the previous depoſit, preſcribed in Section XXIII, of this regulation, ſhall not be required for the fees, payable to the pleaders of Government, in the proſecution or defence of ſuits conducted at the public expence.

are entitled to receive.

Sixth. In pleading ſuits directed to be carried on at the public expence, the pleaders for Government are to be ſubject to all the rules preſcribed for their guidance when pleading on behalf of individuals, except in matters or caſes in which it may be otherwiſe ſpecially directed by any regulation.

To be guided by the ſame rules as pleaders in other ſuits.

Seventh. The Board of Revenue, the Board of Commiſſioners in the upper Provinces, the Board of Trade, or any other authorities, entruſted with the management of ſuits on the part of Government, are empowered to aſſociate with the eſtabliſhed vakeel of Government, any other authoriſed pleader, in caſes in which ſuch aid may, from the importance of the ſuit, or any other reaſon, be judged neceſſary or adviſable. Such additional pleader ſhall be furniſhed with a vakalutnamah, duly authenticated by the officer or authority employing him, and ſhall be entitled to receive the ſame fees, and under the ſame rules and reſtrictions, as if he were employed on the part of an individual, ſubject however to the proviſion contained in Clauſe Fifth, of this ſection.

Another pleader may be aſſociated with the pleader of Government in carrying on ſuits at the public expence.

XXXVIII. No part of this regulation is to be conſtrued to prohibit or to prevent any individual from appearing and pleading his own cauſe in perſon, in any of the courts of civil judicature, without employing an authoriſed pleader.

Individuals not prohibited from pleading their own ſuits.

XXXIX. *Firſt.* The proviſions of this regulation are not intended to apply to vakeels, who may be employed in the courts of the moonſiffs, under Regulation XXIII, 1814.

This regulation not applicable to pleaders in moonſiff's courts.

Second.

and in pauper ſuits is to be conſtrued with reference to the proviſions of Sections VII, X, and XV, Regulation XXVIII, 1814.

Second. It is hereby further declared, that the proviſions of this regulation are to be conſtrued with reference to Sections VII, X, and XV, of Regulation XXVIII, 1814, in ſuits where one or both of the parties may be permitted to plead in formâ pauperis, in conformity with the rules contained in that regulation.

The Regulations are to be expoſed for the public inſpection, and the pleaders are required to make extracts from them.

XL. That the pleaders in the ſeveral courts as well as all other perſons may have it in their power to render themſelves acquainted with the regulations enacted by the Britiſh Government, there ſhall be kept, for public inſpection, in the ſeveral courts of judicature, printed copies of all ſuch regulations and of the tranſlations in the native languages, bound up with the annual indexes. Until the regulations, which may be paſſed in each year are ſo bound up, the ſeparate copies of each regulation, with the tranſlations, which may be printed and circulated to the courts, are to be expoſed as above directed. The regulations are to be depoſited upon a table expreſsly allotted for that purpoſe in ſome part of the court-room, and to lie for public inſpection every day, Sunday excepted, during the ordinary hours of buſineſs, when the pleaders of the courts and all other perſons are to be at liberty to refer to the regulations, or to take copies or extracts from them in the court-room: on receipt of the tranſlations of the regulations in the country languages, the ſeveral courts of civil juſtice ſhall cauſe the ſame to be publicly read in their cutcherries, and ſhall require the native pleaders of their reſpective courts to take copies of any of thoſe tranſlations, which relate directly or indirectly to the adminiſtration of civil ju[illegible]

APPENDIX.

No. 1.

SUNNUD *to be granted to* VAKEELS.

In conformity with the proviſions of Regulation XXVII, 1814, you A. B. are hereby appointed to the office of pleader in the

Sudder Dewanny Adawlut, or in the provincial court, for the diviſion of , or in the zillah or city court of , You will not be liable to be removed from your ſituation ſo long as you may conduct yourſelf with propriety, and diſcharge your duty with zeal and integrity, under the rules contained in the Regulations which now are, or may hereafter be, in force.

No. 2.

OATH *to be adminiſtered to* VAKEELS.

I, A. B. ſolemnly ſwear, that I will truly and faithfully execute the duties of pleader of the Sudder Dewanny Adawlut, or the provincial court for the diviſion of , or the adawlut of the zillah or city of , to the beſt of my knowledge and judgment.

No. 3.

RECEIPT *to be granted for depoſits, made on account of* VAKEELS' *fees.*

I A. B. treaſurer of the court of , do hereby acknowledge to have received this day of , the ſum of ſicca rupees , being a depoſit made by , on account of the fees, payable to his vakeel or vakeels in ſuit, No. , in which the value or amount, claimed by the plaintiff or appellant, amounts to ſicca rupees ( ).

No. [illegible]

REGISTER *of* DEPOS[illegible] *on account of* VAKEELS' *fees.*

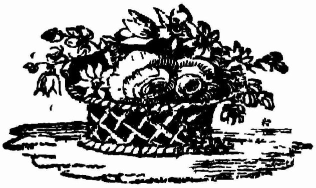
Number of the Suit, and date of its institution.	*Value or amount claimed.*	*Amount of deposit on account of the Plaintiff or Defendant, &c. &c.*	*By whom deposited and for what vakeel or vakeels.*	*Date of the deposit, and of the receipt for it.*	*Date of the payment to the vakeel, and of his receipt.*
No. 759, 25th July, 1815.	700 Rs.	Rupees 35 on account of Ramsing appellant.	By Tarreechurn, Mokhtar of the appellant, for Meer Syfoo vakeel.	10th of August, 1815.	

No. 5.

No. 5:

SUNNUD *to be granted to the* PLEADERS *of Government in the Engliſh and Perſian Languages.*

In conformity with the proviſions of Regulation XXVII, 1814, you A. B. are hereby appointed to the office of pleader on the part of Government, in the Sudder Dewanny Adawlut, or in the provincial court for the diviſion of , or in the zillah or city court of . You will not be liable to be removed from your office ſo long as you may conduct yourſelf with propriety, and diſcharge your duty with zeal, ability, and integrity, under the regulations which are now in force, or which may hereafter be enacted.



A. D. 1814. REGULATION XXVIII.

A REGULATION *for reducing into one regulation, with amendments and modifications, the several rules which have been passed for admitting persons of certain descriptions to sue in the courts of civil judicature as paupers.*—PASSED *by the Vice President in Council, on the* 29*th of November* 1814; *corresponding with the* 15*th Aughun* 1221 *Bengal era; the* 2*d Aughun* 1222 *Fussily; the* 16*th Aughun* 1222 *Willaity; the* 2*d Aughun* 1871 *Sumbut; and the* 16*th Zeheija* 1229 *Higeree.*

Preamble. WHEREAS the rules now in force for admitting perſons of certain deſcriptions to ſue in the courts of civil judicature as paupers have tended to facilitate the inſtitution of groundleſs and litigious ſuits, and have been productive of public inconvenience: and whereas it has been deemed expedient to reduce into one regulation the whole of the proviſions which will be applicable to perſons ſuing in formâ pauperis, the following rules have been enacted to be in force from the 1ſt of February 1815 throughout the whole of the provinces immediately ſubject to the Preſidency of Fort William.

Regulations reſcinded.

II. Regulation XLVI, 1793; Regulation XXIII, 1795; ſuch parts of Sections VIII, IX, X, XI, and XII, of Regulation XXXVIII, 1795; and of Sections II, III, IV, V, and VI, of Regulation III, 1802; as are applicable to paupers; Section XXXV, Regulation X, 1803, Regulation XIV, 1803; Regulation III, 1810, are hereby reſcinded.

No pauper ſuits to be admitted in which the value of the thing claimed ſhall not exceed 64 Rs.

III. No perſon ſhall be hereafter entitled to inſtitute or defend any ſuit in formâ pauperis in any civil court of judicature, unleſs the amount or value of the thing claimed ſhall exceed the ſum of ſixty-four rupees; under this rule the moonſiffs are hereby ſtrictly prohibited from receiving or trying any ſuits which perſons may wiſh to prefer to them in formâ pauperis.

Perſons preferring claims of certain deſcrip. not to be admitted to ſue as paupers.

IV. No perſon ſhall be hereafter permitted to inſtitute a ſuit as a pauper in any civil court of judicature, if the claim ſhall be for damages on account of loſs of caſt, ſlander, abuſive language, aſſaults, or perſonal injuries of any deſcription; or if the claim ſhall be for the poſſeſſion or recovery of deeds or papers, or for fines, forfeitures or pecuniary penalties on account of any breach of the regulations.

Parties deſiring to ſue as paupers are to preſent a petition on ſtampt paper in perſon.

V. *Firſt.* Whenever a party may be deſirous of inſtituting an original ſuit as a pauper in any zillah or city court, or in a provincial court, he ſhall appear in perſon before ſuch court, and ſhall preſent a petition written on the ſtampt paper preſcribed for miſcellaneous petitions in Section XVIII, Regulation I, 1814; provided however, that if the party be a female of a rank and deſcription which according to the prejudices of the country would render it improper to require her perſonal attendance in a court of juſtice, ſuch petition may be preſented by a mokhtar or agent duly authorized for that purpoſe.

Proviſo.

Second. The petition ſhall contain a general ſtatement of the nature and grounds of the demand, of the value of the thing claimed, ed, according to the proviſions of Section XIV, Regulation I, 1814, of the name of the perſon or perſons intended to be ſued, and a ſchedule of the whole real or perſonal property, belonging to the petitioner, with the eſtimated value of ſuch property.

Petitioner's examination to be taken on oath; with certain exceptions.

Third. The court in which ſuch petition may be preſented, or an authorized officer of the court, ſhall then proceed to take the examination of the petitioner, or if the petitioner be a ſemale of the deſcription mentioned in Clauſe Firſt of this ſection, the examination of her agent, with regard to the points above noticed, and ſhall queſtion him particularly with reſpect to any real or perſonal property, which the petitioner may have recently ſold, mortgaged, transferred, or otherwiſe diſpoſed of; ſuch examination ſhall be taken on oath, unleſs the court ſhould in any particular inſtance, judge it proper to admit a ſolemn declaration in lieu thereof, under the proviſions now in force, or any other proviſions which may be hereafter enacted.

Court to admoniſh the petitioner in taking his examination.

Fourth. In taking the examination of the petitioner or agent in ſuch caſes, it ſhall be the duty of the court to admoniſh him, that any wilful miſrepreſentation or falſehood, or the fraudulent concealment of any material fact regarding the property in the petitioner's poſſeſſion, or the recent transfer of ſuch property will ſubject him to be tried for perjury, and on conviction, to the puniſhment which is now or may be hereafter preſcribed for that crime by the regulations. The petitioner or agent ſhall ſubſcribe his examination, which ſhall then be authenticated by the court in the uſual manner.

Courts when to reject the prayer of the petition.

Fifth. If upon ſuch examination it ſhould appear to the court that the petitioner is poſſeſſed of property ſufficient to defray the expenſes of the ſuit, or that he has recently ſold, mortgaged, or otherwiſe transferred any property with the view of being admitted to ſue as a pauper, the court will at once refuſe to admit his ſuit in that form, and will refer him to the general rules in force.

Sixth.

Courts how to proceed when they may be deſirous of aſcertaining the amount of the petitioners property.

Sixth. If there ſhall appear any grounds for ſuſpecting that the petitioner is poſſeſſed of property, or has recently transferred any property beyond that which he may have acknowledged or ſtated in his petition and examination, the court may iſſue a notice to the adverſe party, ſignifying, that if ſuch party ſhall appear within a reaſonable period, to be fixed by the court, he ſhall be permitted to ſhew cauſe why the plaintiff ſhould not be allowed to ſue as a pauper; the court may alſo ſummon witneſſes or inſtitute a local inquiry in the neighbourhood of the petitioner's reſidence, with the view of aſcertaining whether the petitioner has recently tranſferred, or is poſſeſſed of any property beyond that ſtated in his examination.

When the petitioner ſhall have been guilty of perjury he ſhall be committed to the court of circuit.

Seventh. If from the reſult of ſuch enquiry, or at any ſubſequent period, it ſhould be ſatisfactorily eſtabliſhed, that the petitioner or the agent of a female petitioner has been guilty of wilful perjury in his examination, the court will not only refuſe the prayer of the petitioner (or nonſuit the plaintiff if the cauſe be depending,) but will cauſe the perſon appearing to have been guilty of perjury to be committed to the court of circuit to take his trial for ſuch offence.

A party admitted to ſue as a pauper ſhall find two ſureties for his appearance.

VI. *Firſt.* If none of the objections ſtated in Clauſes Fifth and Seventh, of the preceding ſection, ſhould exiſt, and the petitioner ſhould not appear to be poſſeſſed of ſufficient property to enable him to defray the probable expenſes of the ſuit, the court is empowered to admit him to ſue as a pauper on his finding two good and ſufficient ſureties, both of whom ſhall be houſeholders, for his appearance whenever his attendance may be required by the court.

Pauper ſuits not to be referred to the ſudder ameens.

Second. The ſuits of pauper plaintiffs which may be hereafter inſtituted in the zillah or city courts, ſhall be tried by the judge or regiſter, and ſhall not be referred to any of the ſudder ameens.

VII. *Firſt.* When the required ſureties ſhall have been furniſhed, if the pauper ſhall be unable to prevail on any of the vakeels of the court to undertake his ſuit, and he ſhall be unable to plead the cauſe in perſon, the court may require any of the authorized pleaders of the court to undertake and plead the ſuit, and no depoſit ſhall be required from the plaintiff for the fees of ſuch pleader.

The courts are authorized in certain caſes to direct one of the pleaders to undertake the ſuit.

Second, The courts are to ſtate on the record of the trial, their reaſons for every exerciſe of the power veſted in them by this ſection; and the order of the court in ſuch caſes ſhall be a ſufficient warrant to the vakeel to plead in the ſuit without filing the uſual vakalutnamah.

Reaſons for exerciſing that power to be recorded.

VIII. The ſtamp duty which has been ſubſtituted for the inſtitution fee by Regulation I, 1814, ſhall not be required from plaintiffs who may be admitted to ſue as paupers under this regulation. The plaint, reply, or other pleadings on the part of the plaintiff, as well as applications on his part for receiving exhibits and ſummoning witneſſes, may be written on unſtampt paper. The notice to the defendant, the ſummons for witneſſes and other proceſſes on the part of the plaintiff ſhall be ſerved through the chuprаſſies on the eſtabliſhment of the courts without any expence to the plaintiff; and the copy of the decree, as well as copies of orders or proceedings which he may be required to take, ſhall be furniſhed to a pauper plaintiff on unſtampt paper.

Stamp duties and other expences to be remitted to paupers; pleadings on their part and copy of the decree to be on unſtampt paper.

IX. On the concluſion of the ſuit, the court ſhall calculate the whole of the coſts which would have been incurred by the plaintiff on account of the ſeveral ſtamp duties preſcribed by Regulation I, 1814, and other legal expenſes, had he not been permitted to ſue as a pauper, and ſhall charge the ſame in the decree to the party caſt, or to the parties reſpectively, in ſuch proportions as may be deemed equitable.

All coſts and expences to which the plaintiff would have been liable had he not been admitted to ſue as a pauper to be inſerted in the decree.

The fees of the pauper's pleader when to be paid by the defendant,

X. *Firſt.* If the pauper plaintiff ſhall gain his ſuit, the court will cauſe the defendant to make good the amount of the fees due to the pleader, who may have been employed on account of the plaintiff, or ſuch part of them as the court may decree.

[illegible] dequate compenſation as the court may direct.

Second. If the claim of the plaintiff be diſmiſſed with coſts, the court is authorized and required to levy from the defendant ſuch part only of the eſtabliſhed fee for his own pleader as may appear to be an adequate compenſation, le[illegible]ainder to be recovered from any property that may [illegible] be found to belong to the plaintiff.

Pauper plaintiffs under certain circumſtances liable to a ſentence of ſix months impriſonment.

XI. *Firſt.* If the plaintiff ſhall not eſtabliſh his claim, and the court ſhall deem the ſuit to be unfounded, vexatious, or wilfully exaggerated, and the plaintiff ſhall not pay the amount of his own fees, and the fees and coſts which may be awarded againſt him in favour of the oppoſite party, the court is authorized to commit him to cloſe cuſtody in the civil jail, without labour, for a period not exceeding ſix months.

Execution of ſuch ſentence not to be ſuſpended on account of an appeal being preferred from the deciſion.

Proviſo

Second. Such order of confinement ſhall be carried into immediate execution, and ſhall not be ſuſpended in conſequence of the plaintiff's being deſirous of appealing from the judgment; provided however, that the plaintiff ſhall at any time be entitled to his diſcharge from ſuch confinement on his paying into court the full amount of the coſts and expenſes awarded againſt him in the decree.

Sureties failing to produce a pauper plaintiff liable to ſix months impriſonment.

Third. If the pauper plaintiff ſhall abſcond, and his ſureties ſhall not produce him before the court, and the order for his impriſonment cannot therefore be carried into effect, the ſaid ſureties ſhall be called upon to make good the full amount of the coſts adjudged againſt the plaintiff. In the event of their refuſing or failing to make good the coſts, the court is authorized to commit them to cloſe cuſtody, without labour, in the civil jail for a period not exceeding ſix months, ſubject to the proviſion contained in Clauſe Second of this ſection.

Fourth.

Court to realize the coſts due from paupers notwithſtanding their impriſonment or the impriſonment of [illegible] ſureties.

Fourth. The confinement of a pauper plaintiff, or of his ſureties, under this ſection, ſhall not preclude the court from realizing the coſts and expences adjudged againſt a pauper plaintiff, but in all caſes in which ſuch plaintiff may fail to make good the coſts and expenſes to which he may be declared liable in the decree, wheth[illegible] thoſe coſts may be due to the defendant or to government, the [illegible] ſhall endeavour to realize the amount by the ſale of any property which may belong to the plaintiff either at the time of the decree or ſubſeque[illegible]

Perſons deſirous of appealing as paupers to preſent a petition to the ſuperior court.

XII. *Firſt.* If any party to an original ſuit may be deſirous of appealing in formâ pauperis from the deciſion paſſed in ſuch ſuit, he ſhall preſent a petition in the mode preſcribed by Clauſe Firſt, Section V, of this regulation, to the court by which his appeal may be regularly cognizable under the regulations.

With copy of the decree.

What the petition is to contain.

Second. Such petition ſhall be accompanied by an authenticated copy of the decree, and ſhall contain a ſchedule of the whole real or perſonal property belonging to the petitioner, and the eſtimated value of ſuch property, together with a ſtatement of the ſpecific grounds on which the petitioner may deſire to prefer an appeal.

Court when to reject the petition.

Third. If upon a peruſal of the petition and the copy of the decree, the original judgment ſhall not appear to the court to be erroneous or unjuſt, or if the nature of the cauſe ſhall not appear to be of ſufficient importance to merit a further inveſtigation in appeal, the court will reject the petition, and will refuſe to admit the petitioner to ſue in appeal as a pauper.

Proviſo.

Fourth. Provided however, that the petitioner ſhall nevertheleſs be entitled to inſtitute his appeal on performing the conditions of appeal preſcribed by the regulations for perſons not ſuing as paupers.

XIII. If upon the peruſal of a petition preſented under the

preceding

admit the petitioner to appeal as a pauper.

preceding ſection, and of the copy of the decree accompanying it, the court ſhall be of opinion that there is reaſon to believe the judgment to be erroneous or unjuſt, or that the nature of the cauſe renders it deſerving of a further inveſtigation in appeal, the court is empowered to admit the appeal ſubject to the rules and conditions preſcribed in Sections [redacted] lation; Sections VII, VIII, IX, X, an[redacted] ſidered applicable to perſons wh[redacted]peal in formâ pauperis.

Subject to what rules.

Pauper plaintiffs who may have gained their ſuit to be admitted to reſpond in appeals as paupers.

XIV. If a deciſion be paſſed in any original ſuit in favor of a pauper plaintiff, and the adverſe party ſhall appeal from ſuch deciſion, the principles of the rules contained in Sections VII, VIII, IX and X, ſhall without any further enquiry be conſidered applicable to the reſpondent or original pauper plaintiff in ſuch appealed ſuit, provided that the execution of the original decree ſhall have been ſuſpended during the appeal.

Proviſo.

Amount of the ſtamp duty paid on appeal to be returned to the appellant in certain caſes.

XV. If a deciſion in favor of a pauper plaintiff be reverſed in appeal, the amount of the ſtamp duty ſubſtituted for the inſtitution fee which may have been paid by the appellant, ſhall be returned to him by the court, together with ſuch portion of the depoſit which may have been made by him on account of the fee payable to his vakeel, as may be deemed reaſonable, and the amount to ſuch ſtamp duty and depoſit, as well as all other coſts and expences which may be awarded in the decree againſt the reſpondent, ſhall be recovered from any property which the reſpondent may, at any time, be found to poſſeſs.

and recovered with other coſts from the reſpondents property.

Defendants or reſpondents wiſhing to plead as Paupers to preſent a petition to the court.

XVI. *Firſt.* If a defendant or reſpondent, in any ſuit (except in the caſe provided for by Section XIV,) ſhall be deſirous of being admitted to plead in formâ pauperis, he ſhall appear either in perſon, or by an authorized agent, before the court, in which the ſuit may be depending, in conformity with the rules preſcribed in Clauſe Firſt, of Section V, of this Regulation; and ſhall preſent a petition, containing

ing an exact ſchedule of the whole, real or perſonal property belonging to him, and the eſtimated value of ſuch property.

Court how to proceed.

[redacted]

Second. The court to whom ſuch petition may be preſented, ſhall then proceed in conformity with Clauſes Third, Fourth, Fifth, Sixth, and Seventh, of Section V, of this regulation.

And in what caſes authorized to comply with the prayer of the petition.

Third. If after the examination and enquiries, preſcribed in thoſe clauſes, the court ſhall be ſatisfied that the petitioner is not poſſeſſed of ſufficient property to defray the probable expences of the ſuit, and that he can neither plead the ſuit in perſon, nor prevail on any of the authoriſed pleaders of the court to undertake the defence of the ſuit, the court is empowered to grant to the petitioner the ſame advantages and facilities in the defence of the ſuit as are allowed to pauper plaintiffs and appellants, under Sections VII, VIII, IX, and X, of this regulation, and no ſecurity except for perſonal appearance, ſhall be required from ſuch defendant or reſpondent.

This regulation is not applicable to ſummary ſuits, or to ſuits of paupers inſtituted before the 1ſt of January 1815.

XVII. It is hereby declared, that the rules contained in this regulation are intended to apply to regular ſuits and appeals only, and not to ſummary ſuits or ſummary appeals of any deſcription; neither are they intended to apply to pauper ſuits which may have been inſtituted either originally, or in appeal previouſly to the 1ſt of February 1815; ſuch pauper ſuits and appeals are to be tried and determined in conformity with the rules heretofore in force.

Copies of the proceedings and judgments of the Sudder Dewanny Adawlut may in certain caſes be written on unſtampt paper.

XVIII. Copies of the proceedings and judgments of the Sudder Dewanny Adawlut, in appeal to the King in Council, which are required to be written on ſtampt paper, of a preſcribed value, by Section XIX, Regulation I, 1814, ſhall be furniſhed without expenſe to paupers, who may be parties in ſuch appeals, and ſhall be written on unſtampt paper of European manufacture.

Explanation that miſcellaneous petitions and

XIX. Doubts having ariſen whether the courts of civil and criminal

Applications are to be written on the preſcribed ſtampt paper.

minal judicature, the Board of Revenue, the Board of Commiſſioners, the collectors and other public officers, are authorized to receive from perſons profeſſing themſelves to be paupers, any miſcellaneous petitions, or applications, which are required to be written on ſtampt paper, or any other paper, than the preſcribed ſtampt paper; it is hereby declared, that ſuch petitions or applications ſhall not be received by any of the ſaid authorities, except on paper bearing the preſcribed ſtamp.

Proviſo.

Provided however, that the courts of criminal judicature ſhall be at liberty to receive petitions on unſtampt paper from priſoners, who may be confined under examination or ſentence in any of the criminal jails.

A.D. 1814. REGULATION XXIX.

A REGULATION *for the settlement of certain mehals in the district of Beerbhoom, usually denominated the Ghautwaullee mehals*.—PASSED *by the Vice President in Council, on the 3d December 1814; corresponding with, the 19th Aughun 1221 Bengal era; the 6th Aughun 1222 Fussily; the 20th Aughun 1222 Willaity; the 7th Aughun 1871 Sumbut, and the 20th Zeekeja 1229 Higeree*

Preamble. WHEREAS the lands held by the claſs of perſons, denominated ghautwauls, in the diſtrict of Beerbhoom, form a peculiar tenure, to which the proviſions of the exiſting regulations are not expreſsly applicable: And whereas every ground exiſts to believe, that according to the former uſages and conſtitution of the country, this claſs of perſons are entitled to hold their lands, generation after generation, in perpetuity, ſubject nevertheleſs to the payment of a fixed and eſtabliſhed rent to the zemindar of Beerbhoom, and to the performance of certain duties for the maintenance of the public peace, and ſupport of the police: And whereas the rents, payable by thoſe tenants, have been recently adjuſted, after a full and minute enquiry made by the proper officers in the Revenue Department: And whereas it is eſſential to give ſtability to the arrangements now eſtabliſhed among the ghautwauls, the following rules have been adopted, to be in force, from the period of their promulgation, in the diſtrict of Beerbhoom.

The ghautwauls in Beerbhoom and their deſcendants in perpetuity to be maintained in poſſeſſion of their lands, and not liable to an enhancement of rent.

II. A ſettlement having lately been made on the part of the government with the ghautwauls in the diſtrict of Beerbhoom, it is hereby declared that they and their deſcendants in perpetuity ſhall be maintained in poſſeſſion of the lands ſo long as they ſhall reſpectively pay the revenue at preſent aſſeſſed upon them, and that they ſhall not be liable to any enhancement of rent ſo long as they ſhall punctually diſcharge the ſame, and fulfil the other obligations of their tenure.

The ghautwaulee lands conſidered to form a part of the zemindarry of Beerbhoom, and the rents how to be paid.

III. The ghautwaulee lands ſhall be conſidered as at preſent to form a part of the zemindaree of Beerbhoom, but the rents of ghautwauls ſhall be paid direct to the aſſiſtant collector ſtationed at Soory, or to ſuch other public officer, as the Board of Revenue, with the ſanction of the Governor General in Council, may direct to receive the rents.

The difference between the amount of revenue aſſeſſed on ghautwauls and the fixed aſſeſſment payable to government to be paid to the zemindar of Beerbhoom.

IV. The difference between the amount of the revenue aſſeſſed on the ghautwauls, and the fixed aſſeſſment of revenue in this portion of the zemindaree of Beerbhoom payable to government, ſhall be paid to the zemindar of Beerbhoom, and his heirs and ſucceſſors, in perpetuity.

On failure of the ghautwauls to diſcharge their ſtipulated rents, their tenure how to be diſpoſed of;

V. Should any of the ghautwauls at any time fail to diſcharge their ſtipulated rents, it ſhall be competent for the Governor General in Council to cauſe the ghautwaulee tenure of ſuch defaulter to be ſold by public ſale in ſatisfaction of the arrears due from him, in like manner, and under the ſame rules as land held immediately of government, or to make over the tenure of ſuch defaulter to any perſon whom the Governor General in Council may approve on the condition of making good the arrear due; or to transfer it by grants aſſeſſed with the ſame revenue, or with an increaſed or reduced aſſeſſment, as to the government may appear meet; or to diſpoſe of it in ſuch other form and manner as ſhall be judged by the Governor General in Council proper. Should any increaſe of revenue be obtained from the operation of any arrangements of the nature above deſcribed, ſuch increaſe ſhall be paid in conformity to the tenor of the preceding article to the zemindar of Beerbhoom, his heirs and ſucceſſors.

and the increaſe of revenue which may be obtained by that arrangement, to be paid to the zemindar of Beerbhoom.

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OF THE
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REGULATIONS
OF
1814.

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ALTERATIONS, MODIFICATIONS, EXTENSIONS, AND RESCISSIONS.

Regulations altered, &c.					*By what Regulations.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	I			Applied by - - -	XIX.	VIII.	
——	IV.	V, & VI.		Modified by - - -	XXVI	VI.	*First.*
——	IV.	VI.		Applied by - -	XXIII	XXIX. XXXII & XXXIV.	
——	V.	II.		Partly rescinded by -	V.	II.	*First.*
——	VII.			Ditto - - - - - -	XXVII	II.	
——	XIV.	III.		Explained and modified by - - - -	XVIII.	II.	
——	XVI.			Extended by - - -	XXIII.	III.	*Third.*
——	XVI.	IV.		Partly rescinded by -	XXVII	II.	
——	XXII.	XXVI. XXVIII. XXIX. XXXI. XXXII. XXXIV. XXXVI. XXXVIII & XXXIX.		Rescinded by - -	XIII.	II.	
——	XXV.			Ditto - - - - - -	XIX.	II.	
——	XXIX.			Extended by - - -	XXII.	II.	
——	XL.			Rescinded by - -	XXIII.	II.	
——	XLVI.			Ditto - - - - -	XXVIII	II.	
1795	VI. VII.	VI. XIX.		Explained and modified by - - - -	XVIII.	II.	
——	VIII.	II.		Applied by - - -	XXIII	XXIX. XXXII & XXXIV	
——	IX.	II.		Partly rescinded by -	V.	II.	*First.*
——	XIII.			Rescinded } by	XXVII	II.	
——	XV.	II.		Partly rescinded }			
——	XV.			Extended by - -	XXIII.	III.	*Third.*
——	XXIII.			Rescinded by - - -	XXVIII	II.	
——	XXVI.			Rescinded by - - -	XIX.	II.	

Regulations altered, &c.					*By what Regulations.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1795	XXVII.			Applied by	XIX.	VIII.	
——	XXXI.			Recinded by	XXIII.	II.	
——	XXXVI.	V.					
——	XXXVIII.	VIII.					
——	XXXVIII	VIII to XII		Partly ditto	XXVIII	II.	
——	I, II.			Extended by	XXII.	II.	
1796	VIII.			Rescinded by	XXVII	II.	
1797	VI.	IV to XXX		Rescinded by	I.	II.	
——	VI.	III.	I, II, & III.	Ditto	XXIII.	II.	
——	VIII.	IV. & V.		Ditto	XXVII	II.	
——	X.			Rescinded by	I	II.	
——	XVIII.			Ditto	XXIII.	II.	
1798	II.	II & III.		Rescinded by	XXVI.	IV.	*First.*
——	IV.			Extended by	XXII.	II.	
——	V.	IX to XV.		Rescinded by	XXVII	II.	
1799	VII.	XXIII.	II.	Explained and modified by	XVIII	II.	
1800	IV.			Extended by	XXII.	II.	
——	VII.			Rescinded by	I	II.	
——	VII.	XX.		Rescinded by	XXIII	II.	
——	IX.			Partly rescinded by	XX.	II.	
1801	I.	XI.		Explained and modified by	XVIII.	II.	
——	I.	XII & XIII		Rescinded by	XIX.	II.	
——	II.	VIII & IX.		Rescinded by	XXVI.	III.	*First.*
——	IV.			Rescinded by	XX.	II.	
——	VI.			Extended with modifications by	XXII.	II.	
——	XI.	XXII.		Rescinded by	I.	II.	
——	XII.			Extended by	XXII.	II.	
1802	III.	III & IV		Partly rescinded by	XXVII	II.	
——	III.	II, III, IV, V, & VI		Partly rescinded by	XXVIII	II.	
1803	II.	XXII.		Rescinded by	XXVI.	IV.	*First.*
——	III.	VII.		Applied by	XXIII.	XXIX. XXXII XXXIV	
——	III.	V & VI.		Modified by	XXVI	VI.	*First.*
——	IV.	II.		Partly rescinded by	V.	II.	*First.*
——	IV.	XII.		Ditto	XXVI.	III.	*First.*
——	IV.	XXX.	II	Ditto	XXVI.	IV.	*First.*
——	V.	XXXVII.					
——	X.			Rescinded by	XXVII.	II.	

1803

Regulations altered, &c.					*By what Regulations.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1803	X.	XXXV.		Rescinded by -	XXVIII.	II.	
——	XIV.			Ditto -			
——	XVI.			Rescinded by	XXIII.	II.	
——	XXI.			Extended by -		II.	*Third.*
——	XXI	IV.		Rescinded by	XXVII	II.	
——	XXV.			Applied by -	XIX.	VIII.	
——	XXVI.	XIV.	IV.	Explained and modified by - -	XVIII.	II.	
——	XXVI.	XXIX to the end.		Rescinded by - -	XIX.	II.	
——	XXVII.	III & VII		Explained and modified by - -	XVIII.	II.	
——	XXVII.	XIX.		Ditto - -			
——	XLIII.	IV to XXVI.		Rescinded by -	I	II.	
——	XLIII.	III.		Ditto - -	XXIII	II.	
——	XLVIII.			Extended by	XXII.	II.	
——	XLIX.	IX to XIX		Rescinded by -	XXIII.	II.	
——	XLIX.	II to VII & XX to XXVII.		Ditto - -	XX.V.	II.	
——	XLIX.	XXIV.		Modified by -	XXVI	II.	*First.*
——	XLIX.	XXVI.		Rescinded by -	XXVI.	III.	*First.*
1804	II.	IV.		Partly rescinded by -	XI.	III.	
——	V.	XIX.		Ditto - -	XXIII.	II.	
1805	II.	X.		Modified by - -	XXVI.	II.	*First.*
——	II.	II.		Rescinded by -	XXVI.	III.	*First.*
——	II.	XII.		Modified by - - -	XXVI.	VIII.	*First.*
——	VIII. -	VI. XI. XII. XVI. and XVII.	V.VI.&VII II. III & IV.	Rescinded by - -	XXIV.	II.	
——	VIII.	IX.	II & III.	Modified by - -	XXVI	II.	*First.*
——	VIII.	IX.	III	Rescinded by - -	XXVI.	IV.	*First.*
——	IX. & XII.			Applied by - - -	XIX.	VIII.	
1806	I.	VIII.		Rescinded by - -	V.	III.	*First.*
——	II.	IV. & V.		Extended by - -	XXIII.	XXIII.	
——	II.	IX.		Rescinded by -	XXIII.	II.	
——	——	XI.		Additional rules -	XXIII.	XLV.	*Seventh*

Regulations altered &c.					*By what Regulations.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1806	IV.	XXVI.		Referred to - - -	XXIII.	LVI.	
——	VIII.	II. & III.		Rescinded by - -	II.	II.	
——	IX.			Extended by - - -	XXII.	II.	
——	XIII.			Rescinded by - -	I.	II.	
1807	I.	IV.		Explained by - -	XXV.	X.	*First.*
——	III.			Rescinded by - -	XX.	II.	
——	VI.			Rescinded by - -	XIX.	II.	
——	VIII.			Rescinded by - -	I.	II.	
1808	VIII.	VI.		Further applied by -	XXV.	XVII.	
——	IX.	XIII.		Applied by - - -	VIII.	II.	
——	XIII.	IV.		Additional rules - -	XXVI.	VII.	*Second.*
——	XIII.	IX.		Referred to - - -		XI.	
——	XIII.	XI.		Modified by - - -	XXVI.	XI.	
——	XIII.	VI.	III.	Rescinded by - -	XXVII.	II.	
1809	VII.			Ditto - - -	I.	II.	
——	VIII.	VIII.		Ditto - - -	XXIII.	II.	
——	X.	II.		Partly rescinded by -	VII.	II.	
1810	III.			Rescinded by -	XXVIII.	II.	
——	V.			Rescinded by - -	XIX.	II.	
——	IX.	XII.	*First.*	Enforced by - - -	IV.	III.	
——	IX.	XII	*First*	Modified by - - -	VI.	II.	
——	IX.	XV.	I & II.	Ditto - - -		III.	
x ——	IX.	XCVII.	II.	Suspended by - -		IV.	*First.*
——	XII	I.		Rescinded by - -	I	II.	
——	XIII.	IX & X.		Ditto } - -	XXIII.	II.	
——	XIII.	XI.	I. & II.	Partly Ditto }			
——	XIII.	II.	II.	Additional rules -	XXV.	VI.	
——	XIII.	III.	IV.	Further applied by -		VII.	
——	XIII.	II	III.	Modified by - - -		VIII.	
——	XIII.	IV.		Explained by - -	XXV.	X.	*First.*
——	XIII.	VI.		Modified by - - -		XVI.	
——	XIV	III.		Applied by - -	XI.	II.	
[illegible]811	I.	II. III & IV.		Modified by - - -	XI.	II.	
——	III.			Enforced by - -	IV.	III.	
1812	I.	XX.		Modified by - - -	VI.	V.	
——	III.	IV.	*Second.*	Extended by - - -	VIII.		
——	VIII.			Repealed by - -	IV.	II.	
——	XII.			Rescinded by - -	I.	II.	
1813	III.			Rescinded by - -	XXVI.	IV.	*First.*
——	VI.			Extended by - -	XXIII.	III. & IV.	*Third.*
——	X.			Additional rules -	XVII.	II.	

Regulations altered, &c.					*By what Regulations.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1813	XIII.			Extended by	III.	II.	
——	XIII.			Explained by	IX.	II.	
——	XIII.			Further extended by	XVI.	II.	
——	XVI.			Rescinded by	I.	II.	
——	XVII.			Applied by	II.	IV.	
1814	I.	IX.		Explained by	X.	II.	
——	I.	V.	II.	Ditto	XXVI.	XVI.	*First.*
——	I.	XI.		Ditto		XIX.	
——	——	XI.		Extended by		XXVI.	
——	I.	XIII to XVII.		Explained by		XX.	
——	——	XIV.		Referred to	XXIII	LVII.	
——	——	XV & XVI.		Modified by	XXVI.	XXII.	
——	——	XIV.	I.	Further explained by		XXIII.	
——	III.			Explained by	IX.	II.	
——	XXIII.	XLV.		Extended by	XXVI	XV.	*Second.*
——	XXIII.	LXXV.		Ditto	XXIV.	VII.	*Fourth.*
——	XXIV.	IX.	VI.	Referred to	XXV.	III & IV.	*Third.*

APPEALS.	*Regulation.*	*Section.*	*Clause.*
Upon what grounds special appeals may be admitted,	XXVI.	II.	*First.*
Party dissatisfied with the decision passed on a regular appeal to present a petition,			*Second.*
Upon what description of paper such petition is to be written, and what it is to contain,			*Third.*
Mode of proceeding, in case of there being reasons for the admission of a special appeal,			*Fourth.*
In certain cases, when the petition for a special appeal be rejected, a portion of the stamp duty may be refunded,			*Fifth.*
All orders passed regarding special appeals to be final,			*Sixth.*
To what fees pleaders are entitled on the rejection of special appeals,			*Seventh.*
In what cases the Sudder Dewanny Adawlut, Provincial Courts and Zillah and City judges may admit summary appeals,		III.	*Second, Third, & Fourth.*
Within what period these appeals must be preferred			*Fifth.*
Persons desirous of preferring summary appeals to present a petition written on stampt paper—What is to accompany the petition,			*Sixth.*
Petitioner not liable to pay the institution fee, nor furnish security—Exception,			*Seventh.*
Mode of proceeding in summary appeals,			*Eighth.*
In what cases the lower Courts may be directed to receive or revive a suit,			*Ninth.*
In what cases the Courts may reject summary appeals and fine the appellant—Court's orders to be final,			*Tenth.*
Compensation for pleaders employed in such summary appeals,			*Eleventh.*
Petitions for a review of judgment allowed—Such petition on what paper to be written—Within what period to be presented—A Court seeing sufficient grounds for a review, to report the same to the			

Sudder.

	Regulation.	*Section.*	*Clause.*
Sudder Dewanny Adawlut—Its rejection to be final, - - - - -		IV.	*Second.*
Sudder Dewanny Adawlut empowered to grant a review, - - - - -			*Third.*
The orders rejecting a review not to debar the party from preferring a regular appeal, - -			*Fourth.*
Registers, in case a defendant neglect to file a rejoinder, not required to do so, - - -	XXVI.	VI.	*Second.*
Rules for the admission of supplemental pleadings,			*Third.*
A petition of appeal from decisions passed in the Zillah and City Courts, may be presented without an authenticated copy of the decree—What the petition is to contain—Upon what paper to be written and with what to be accompanied, - -		VIII.	*Second.*
When the Judge may admit the appeal, - -			*Third.*
Into what Court the deposit for pleaders fees is to be paid, - - - - -			*Fourth.*
Appellants allowed to state their grounds of appeal in the petition or in a separate pleading, -			*Fifth.*
Provisions in the above clauses applicable to appeals from decisions passed by Provincial Courts and by the Sudder Dewanny Adawlut, -			*Sixth.*
In what cases it will be necessary to file an authenticated copy of the decree with the petition of appeal, - - - - -			*Seventh.*
Parties, requiring a copy of a decree, to furnish stampt paper, - - - - -			*Eighth.*
Courts how to proceed when furnished with the stampt paper, - - - -			*Ninth.*
Limitation of time for the admission of appeals how to be calculated, - - - - -			*Tenth.*
Provisions of the three preceding clauses applicable to copies of decrees or orders from which a party may desire to prefer a special or summary appeal,			*Eleventh.*
Modifications of rules regarding pleadings in appeals		IX.	*First.*
Respondent may file an answer to reasons of appeal or not at his option—Proviso, -			*Second.*

	Regulation.	Section.	Clause.
What pleadings are admitted in appealed suits,			*Third.*
Pleadings to be read previous to filing exhibits or summoning witnesses—Exception,		X.	*First.*
In case the points at issue be not clearly ascertained, what steps to be taken by the Courts,			*Second.*
Courts to record the points to be established by the parties,			*Third.*
And any additional points which may subsequently appear necessary—No evidence to be taken but on points recorded,			*Fourth.*
Rules for taking the evidence of witnesses required by the Sudder Dewanny Adawlut or a Provincial Court, who may reside at such a distance as may render their attendance at Court inconvenient,		XI.	
What previous notice to be given by the Courts, of the day, on which the suit will be brought to a hearing,		XII.	*First.*
What notification will be sufficient,			*Second.*
In case either party be unprepared to file his exhibits, or name his witnesses on the fixed day, liable to fine, and to a further penalty on a repetition of a similar neglect,			*Third.*

COINAGE.

	Regulation.	Section.	Clause.
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Impression thereon,		III.	

COLLECTORS.

	Regulation.	Section.	Clause.
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Empowered without reference to the Boards, to advertise lands, for sale, for the recovery of arrears, but must report it to them without delay,	XVIII.	II	
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What

	Regulation.	Section.	Clause.
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Rewards payable on confiscated salt in Cuttack how to be calculated,			II.
Exportation of salt from Cuttack by land to any district subject to the Government of Bengal prohibited, and all salt exported in disobedience to this prohibition, liable to confiscation—Exception		III.	
Exportation by sea, except on account of Government, also prohibited,		IV	
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Indigo intended for exportation and not accompanied by rowannahs, to be taken as the manufacture of the vizier's dominions, subject to what duties	VI.	II.	
Books of rates specifying the value of the articles chargeable with duty ad valorem to be prepared annually,		III.	
To what rate of duty goods imported into the late foreign factories are subject,		IV.	II
Clause 2d, Section XCVII, Regulation IX, 1810, to be again in force, should the factories be restored			III.
Drawbacks not allowed, unless applications be accompanied by the goods and rowannahs,		V.	

	Regulation.	Section.	Clause.
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Office of Cutwal in these cities abolished,		III.	
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Division of estates to be made by collectors,	XIX.	III.	
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In case of a division, each estate to be as compact as possible,		VII.	
Rules for assessing the public revenue for selecting the lands for each estate,		VIII.	
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In cases of measurement of lands, aumeen how to be remunerated,			Second.

Rules

	Regulation.	Section.	Clause.
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Rules for proceeding when the partition may not be confirmed,			Fifth.
And when the partition may not be completed in the prescribed time,			Sixth.
Aumeens how to be paid when the per centage may be deemed inadequate,			Seventh.
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To cause the attendance of their putwarries, &c. How the putwarries are to be dealt with for refusing to deliver these accounts,			Third.
Aumeen to furnish the Collector with certain documents on completing the partition,		XVIII.	
Collector to draw out a paper of partition—What it is to contain—To be transmitted to the Boards of Revenue and Commissioners,		XIX.	First.
Collector, previously to forwarding to the Boards the paper of partition, to furnish the sharers with a copy—Rules in case of their declaring themselves satisfied with it, or not appealing against it within fifteen days,			Second.
Rules in the event of any sharer objecting to, or appealing against the partition,			Third
Decisions of the Boards to be final, and the Collector to put the parties in possession and make the necessary entries in the records,		XX.	First.
Period allowed for appeals against the partition,			Second.
Fines may be imposed in cases of groundless appeals,			Third.
Fines may also be imposed on persons for withholding accounts, or otherwise impeding the division,		[illegible]	

	Regulation.	*Section.*	*Clause.*
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Joint landed property responsible for the public revenue, till the parties are put into possession of their distinct shares - - -		XXVIII.	
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To what description of joint estates these rules are applicable—New allotments of assessment not valid till confirmed by the Boards of Revenue and Commissioners—Nor any reduction of jumma till approved by Government, - - -		XXX.	
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By

	Regulation.	*Section.*	*Clause.*
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EUROPEAN PUBLIC OFFICERS.

	Regulation.	*Section.*	*Clause.*
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What steps the Boards are to take, should it appear that the complainant had been actually aggrieved,			*Third.*
How the Boards are to act should the complainant be left to prosecute the suit, - -			*Fourth.*
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GHAUTWAULS

	Regulation.	*Section.*	*Clause.*
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	Regulation.	*Section.*	*Clause.*
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LANDHOLDERS			
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	Regulation.	Section.	Clause.
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MOONSIFFS,			
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In what cases liable to criminal prosecution—Punishment on conviction, - - -			Second.
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	Regulation.	*Section.*	*Clause.*
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	Regulation.	Section.	Clause.
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	Regulation	Section	Clause
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	Regulation	Section	Clause
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	Regulation	Section	Clause.
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	Regulation.	*Section.*	*Clause.*
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